# \$280,00 63969

# PATENT ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1

| SUBMISSION TYPE:      | NEW ASSIGNMENT |
|-----------------------|----------------|
| NATURE OF CONVEYANCE: | MERGER         |
| EFFECTIVE DATE:       | 02/09/2004     |

### **CONVEYING PARTY DATA**

| Name                         | Execution Date |
|------------------------------|----------------|
| Blaze Networks Products, Inc | 02/09/2004     |

#### **RECEIVING PARTY DATA**

| Name:             | Aduro, Inc.      |  |
|-------------------|------------------|--|
| Street Address:   | 2134 Rheem Drive |  |
| Internal Address: | Suite A          |  |
| City:             | Pleasanton       |  |
| State/Country:    | CALIFORNIA       |  |
| Postal Code:      | 94588            |  |

#### PROPERTY NUMBERS Total: 7

| Property Type  | Number  |
|----------------|---------|
| Patent Number: | 6396978 |
| Patent Number: | 6456757 |
| Patent Number: | 6558046 |
| Patent Number: | 6572278 |
| Patent Number: | 6652161 |
| Patent Number: | 6563976 |
| Patent Number: | 6735397 |

#### **CORRESPONDENCE DATA**

Fax Number: (415)391-7161

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 415 391 7160

Email: eckhoffhoppe@hotmail.com
Correspondent Name: Bruce H. Johnsonbaugh

PATENT REEL: 016674 FRAME: 0276

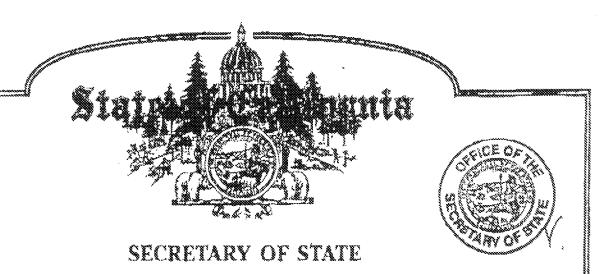
500056797

Address Line 1: 101 Montgomery Street
Address Line 2: Suite 2800
Address Line 4: San Francisco, CALIFORNIA 94104

NAME OF SUBMITTER: Bruce H. Johnsonbaugh

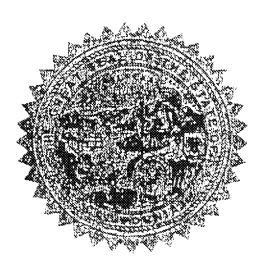
Total Attachments: 6
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I, Kevin Shelley, Secretary of State of the State of California, hereby certify:

That the attached transcript of \_\_\_\_\_ page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

MAR - 8 2004

Secretary of State

ЫСВЫ Роги С\$-107 (нь 1ДЗ)

ENDORSED - FILE in the office of the Secretary of 6b of the State of California

AGREEMENT OF MERGER

OF

ADURO, INC.

AND

KEVIN SHELLEY Secretary of State

FEB 2 8 2004

This Agreement of Merger (the "Merger Agreement") is dated as of the 9th day of February, 2004, by and between Aduro, Inc., a California corporation (the "Surviving Corporation"), and Blaze Network Products, Inc., a California corporation (the "Disappearing Corporation").

BLAZE NETWORK PRODUCTS, INC.

The parties hereby agree as follows:

- Disappearing Corporation shall be merged with and into Surviving Corporation (the "Merger"), and Surviving Corporation shall be the surviving corporation and continue its existence under its present name.
- The Merger will be consummated by filing this Merger Agreement with the Secretary of State of the State of California, in accordance with the relevant provisions of the California Corporations Code (the time of acceptance by the Secretary of State of California of such filing being referred to herein as the "Effective Time").
  - 3. At the Effective Time of the Merger:
- (a) All of the shares of Disappearing Corporation Common Stock (other than shares of Disappearing Corporation Common Stock held by holders exercising dissenter's, appraisal or other similar rights with respect to such shares pursuant to the California Corporations Code) issued and outstanding immediately prior to the Effective Time shall be canceled and extinguished and each such holder shall receive \$2.49 per 1,000 shares of Disappearing Corporation Common Stock then outstanding.
- (b) All of the shares of Disappearing Corporation Preferred Stock (other than shares of Disappearing Corporation Preferred Stock held by holders exercising dissenter's, appraisal or other similar rights with respect to such shares pursuant to the California Corporations Code) issued and outstanding immediately prior to the Effective Time shall be canceled and extinguished and be converted automatically into the right to receive the following:
- (i) 13 shares of Surviving Corporation Common Stock for each 1,000 shares of Disappearing Corporation Preferred Stock issued and outstanding immediately prior to the Closing; and
- (ii) an undivided interest in a promissory note, issued by Surviving Corporation, in the original principal amount of One Hundred Nine Thousand Sixty Four Dollars (\$109,064), such undivided interest equal to its pro rata share based on the number of shares issued to it pursuant to (i), above, relative to all shares issued pursuant to (i), above.

From and after the Effective Time, each share of Surviving Corporation Common Stock issued and outstanding immediately prior to the Effective Time shall remain an issued and outstanding share of Surviving Corporation Common Stock and shall not be affected by the Merger.

- 4. No fractional shares of Surviving Corporation Common Stock shall be issued in connection with the Merger, and no certificates for any such fractional shares shall be issued. If in connection with any conversion hereunder a fraction of a share results, then such fractional share will roudned up or down to the nearest whole number.
- 5. The Articles of Incorporation of Surviving Corporation in effect immediately prior to the Effective Time shall be the Articles of Incorporation of the Surviving Corporation unless and until thereafter amended.
- The Bylaws of Surviving Corporation in effect immediately prior to the Effective Time shall be the Bylaws of the Surviving Corporation unless and until amended or repealed as provided by applicable law, the Articles of Incorporation of the Surviving Corporation and/or such Bylaws.
- 7. The directors of Surviving Corporation shall be the directors of Surviving Corporation immediately prior to the Effective Time.
- 8. The officers of Surviving Corporation immediately prior to the Effective Time shall be the officers of the Surviving Corporation.
- 9. This Merger Agreement may be signed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one agreement.
- This Merger Agreement may be amended by the parties hereto any time before or after approval hereof by the shareholders of Disappearing Corporation, but, after such approval, no amendments shall be made which by law requires the further approval of such shareholders without obtaining such approval. This Merger Agreement may not be amended except by an instrument in writing signed on behalf of each of the parties hereto.

IN WITNESS WHEREOF, the parties have executed this Merger Agreement as of the date first written above.

ADURO, INC., a California corporation

By Brian Peters, President

AND SELDI

BLAZE NETWORK PRODUCTS, INC. a California corporation

Dr. E. H. Skus T

Edward H. Austin, Vice President

Mark I Saidonama Samatan

PATENT

**REEL: 016674 FRAME: 0281** 

# CERTIFICATE OF APPROVAL BLAZE NETWORK PRODUCTS, INC.

Edward H. Auctin and Mark J. Seidomann hereby certify on behalf of Blaze Network Products, Inc., a California corporation ("Blaze") as follows:

- They are the President and Secretary, respectively of Blaze. 1.
- The principal terms of the Agreement of Merger to which this certificate is attached, were duly approved by the Board of Directors of Blaze in accordance with the California Corporations Code.
- There are two authorized classes of capital stock of Blaze, consisting of 100,000,000. shares of Common Stock and 25,155,050 shares of Preferred Stock. There were (i) 6,701,370 shares of Common Stock; (ii) 3,775,000 shares of Series A Preferred Stock; (iii) 4,889,070 shares of Series B Preferred Stock; (iv) 7,067,440 shares of Series C Preferred Stock; and (v) 6,673,293 shares of Series D Preferred Stock outstanding and entitled to vote on the Agreement of Merger in the form to which this confinente is anached.
- Approval of the principal terms of the Agreement of Merger by the holders of more than (i) a majority of the outstanding shares of Common Stock of Blaze; (ii) a majority of the outstanding shares of Series A Preferred Stock of Blaze; (iii) a majority of the outstanding shares of Series B Preferred Stock of Blaze; (iv) two-thirds of the shares of Series C Preferred Stock of Blaze; and (v) two-thirds of the outstanding shares of Series D Preferred Stock of Blaze, was required. The percentage of the outstanding shares of Blaze's capital stock entitled to vote on the principal terms of the Agreement of Merger that voted to approve the principal terms of the Agreement of Merger equaled or exceeded the vote required.

We further declare under penalty of penjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our knowledge.

Dated: February 9, 2004

## CERTIFICATE OF APPROVAL OF ADURO, INC.

I, Brian Peters, hereby certify on behalf of Aduro, Inc., a California corporation ("Aduro") as follows:

- 1. I am the President and Secretary of Aduro.
- 2. The principal terms of the Agreement of Merger to which this certificate is attached, were duly approved by the Board of Directors of Adure in accordance with the California Corporations Code.
- There is only one authorized class of capital stock of Aduro, consisting of 10,000,000 shares of common stock. There were 665,000 shares of common stock of Aduro issued and outstanding and entitled to vote on the Agreement of Merger to which this certificate is attached.
- Approval of the principal terms of the Agreement of Merger by the holders of more than a majority of the shares of common stock of Aduro outstanding was required. The percentage of the outstanding shares of Aduro's shares entitled to vote on the principal terms of the Agreement of Merger that voted to approve the principal terms of the Agreement of Merger equaled or exceeded the vote required.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our knowledge.

Dated: February 9, 2004

RECORDED: 10/24/2005

Brian Potors, President and Secretary