

11-02-2006



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U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

2006 NOV -1 AM 11:42

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below

1. Name of conveying party(ies)

LoudCloud, Inc.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance/Execution Date(s):

Execution Date(s) 08/14/2002

☐ Assignment

☐ Merger

☐ Security Agreement

☒ Change of Name

☐ Joint Research Agreement

☐ Government Interest Assignment

☐ Executive Order 9424, Confirmatory License

☐ Other _____

2. Name and address of receiving party(ies)

Name: Opware Inc.

Internal Address: _____

Street Address: 599 N. Mathilda

City: Sunnyvale

State: CA

Country: USA Zip: 94085

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

B. Patent No.(s)

09/838,141

Additional numbers attached? ☐ Yes ☒ No

5. Name and address to whom correspondence concerning document should be mailed:

Name: Carr & Ferrell LLP

Internal Address: _____

Street Address: 2200 Geng Road

City: Palo Alto

State: CA Zip: 94303

Phone Number: 650-812-3400

Fax Number: 650-812-3444

Email Address: _____

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 1.21(h) & 3.41) \$40.00

☐ Authorized to be charged by credit card

☒ Authorized to be charged to deposit account

☒ Enclosed

☐ None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____

Expiration Date _____

b. Deposit Account Number 06-0600

Authorized User Name Daniel C. Kloke

9. Signature:

Daniel C. Kloke
Signature

October 30, 2006

Date

(Daniel C. Kloke, Reg. No. 58,417)

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents:

3

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

STATE OF DELAWARE
 SECRETARY OF STATE
 DIVISION OF CORPORATIONS
 FILED 05:00 PM 08/14/2002
 020516079 - 3094394

CERTIFICATE OF AMENDMENT

OF

**THE AMENDED AND RESTATED CERTIFICATE OF
 INCORPORATION**

OF

LOUDCLOUD, INC.

Pursuant to Section 242 of the General
 Corporation Law of the State of Delaware

LOUDCLOUD, INC., a Delaware corporation (hereinafter called the "Corporation"), does hereby certify
 as follows:

FIRST: Article I of the Corporation's Amended and Restated Certificate of Incorporation is hereby
 amended to read in its entirety as set forth below:

The name of the Corporation is Opware Inc.

SECOND: The foregoing amendment was duly adopted in accordance with Section 242 of the General
 Corporation Law of the State of Delaware.

THIRD: This Certificate of Amendment of the Amended and Restated Certificate of Incorporation of
 Loudcloud, Inc. shall be effective on August 16, 2002.

IN WITNESS WHEREOF, the Corporation has caused this Certificate to be signed by the President and
 Chief Executive Officer of the Corporation on this 14th day of August, 2002.

Loudcloud, Inc.

By: 

Name: Benjamin A. Horowitz
 Title: President and Chief
 Executive Officer

(MP) 12341/002/MTSC/Certificate of Incorporation.doc

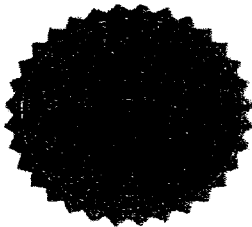
Delaware

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The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "LOUDCLOUD, INC.", CHANGING ITS NAME FROM "LOUDCLOUD, INC." TO "OPSWARE INC.", FILED IN THIS OFFICE ON THE FOURTEENTH DAY OF AUGUST, A.D. 2002, AT 5 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF AMENDMENT IS THE SIXTEENTH DAY OF AUGUST, A.D. 2002.



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4632535

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060301713

DATE: 03-30-06