

Form PTO-1595 (Rev. 07/05)
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U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

RECORDATION FORM COVER SHEET
PATENTS ONLY

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)

S3 Incorporated

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

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

Execution Date(s) November 15, 2000

- ☐ 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: SONICblue Incorporated

Internal Address: _____

Street Address: 2600 San Tomas Expwy.

City: Santa Clara

State: California

Country: USA Zip: 95051

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

4. Application or patent number(s):

A. Patent Application No.(s)

11/411,546
11/586,462
11/586,463

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

B. Patent No.(s)

6,629,000
7,065,417

Additional numbers attached? ☐ Yes ☒ No

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

Name: Jeffrey G. Toler

Internal Address: Toler Schaffer LLP

Street Address: 5000 Plaza On The Lake, Suite 205

City: Austin

State: TX

Zip: 78746

Phone Number: 512-327-5515

Fax Number: 512-327-5575

Email Address: jtoler@tolerschafer.com

6. Total number of applications and patents involved: 5

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 50-2469

Authorized User Name Jeffrey G. Toler

9. Signature:

Jeffrey G. Toler
Signature

1-19-2007
Date

Jeffrey G. Toler, Reg. No. 38,342

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

CERTIFICATE OF OWNERSHIP AND MERGER
MERGING
SONICBLUE INCORPORATED
WITH AND INTO
S3 INCORPORATED

Pursuant to Section 253 of the
General Corporation Law of the State of Delaware

S3 Incorporated, a Delaware corporation (the "Company"), does hereby certify to the following facts relating to the merger of SONICblue Incorporated, a Delaware corporation (the "Subsidiary"), with and into the Company, with the Company remaining as the surviving corporation:

FIRST: The Company is incorporated pursuant to the General Corporation Law of the State of Delaware (the "DGCL"). The Subsidiary is incorporated pursuant to the DGCL.

SECOND: The Company owns all of the outstanding shares of each class of capital stock of the Subsidiary.

THIRD: The Board of directors of the Company, by the following resolutions duly adopted on October 9, 2000, determined to merge the Subsidiary with and into the Company pursuant to Section 253 of the DGCL:

RESOLVED, that the Subsidiary be merged with and into the Company (the "Merger"); and it is further

RESOLVED, that by virtue of the Merger and without any action on the part of the holder thereof, each then outstanding share of common stock of the Company shall remain unchanged and continue to remain outstanding as one share of common stock of the Company, held by the person who was the holder of such share of common stock of the Company immediately prior to the Merger; and it is further

RESOLVED, that by virtue of the Merger and without any action on the part of the holder thereof, each then outstanding share of common stock of the Subsidiary shall be canceled and no consideration shall be issued in respect thereof; and it is further

RESOLVED, that the proper officers of the Company be and they hereby are authorized and directed to make, execute and acknowledge, in the name and under the corporate seal of the Company, a certificate of ownership and merger for the purpose of effecting the Merger and to file the same in the office of the Secretary of State of the State of Delaware, and to do all other acts and things that may be necessary to carry out and effectuate the purpose and intent of the resolutions relating to the Merger; and it is further

RESOLVED, that upon the filing of the Certificate of Ownership and Merger, Article I of the Restated Certificate of Incorporation of the Company shall be amended in its entirety to read as follows:

"The name of the corporation is SONICblue Incorporated."

FOURTH: This Certificate of Ownership and Merger shall be effective at 8:00 a.m. on November 15, 2000.

IN WITNESS WHEREOF, the Company has caused this Certificate of Ownership and Merger to be executed by its duly authorized officer this ____ day of November, 2000.

By:
Name:
Title:

William J. McFarlane