

02-28-2007



ET

2007 FEB 26 PM 12:17

103376586

To the Director of the U.S. Patent &

documents or **FINANCE SECTION**

2-26-07

1. Name of conveying party(ies)
LoudCloud, Inc.

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

2. Name and address of receiving party(ies)
Name: Opsware Inc.
Internal Address: _____

Street Address: 599 N. Mathilda

City: Sunnyvale
State: CA
Country: U.S.A. Zip: 94085

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

3. Nature of conveyance/Execution Date(s):
Execution Date(s) 8/14/2002
 Assignment Merger
 Security Agreement Change of Name
 Joint Research Agreement
 Government Interest Assignment
 Executive Order 9424, Confirmatory License
 Other _____

4. Application or patent number(s): This document is being filed together with a new application.
A. Patent Application No.(s)
09/978,710
B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address to whom correspondence concerning document should be mailed:
Name: Carr & Ferrell LLP
Internal Address: Patent Department

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 Date February 21, 2007
Daniel C. Kloke, Reg. No. 58,417
Name of Person Signing
Total number of pages including cover sheet, attachments, and documents: **3**

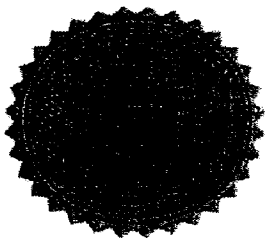
Delaware

PAGE 1

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

3094394 8100

060301713

DATE: 03-30-06

PATENT
REEL: 018973 FRAME: 0248

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