

11-26-2008

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

EET

Docket No.(s) 52-1

103536884

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)/Execution Date(s):**

SPARK TECHNOLOGY CORPORATION

Date of Assignment: September 18th, 2008

Date of Declaration: January 27th, 2003

Filing Date: February 3rd, 2003

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No**3. Nature of conveyance**

- ☐ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☐ Government Interest Assignment
- ☐ Executive Order 9424, Confirmatory License
- ☒ Other Correction to Prior Assignment Recordation Cover Sheet

**2. Name and address of receiving party(ies)**

Name: SPARKTECH CORPORATION

Internal Address: \_\_\_\_\_

Street Address: 185 Martinvale Lane

City: San Jose

State: California

Country: USA Zip: 95119

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)

10/356,769

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No**5. Name and address to whom correspondence concerning document should be mailed:**

Name: David Lewis

Internal Address: Suite 200B

Street Address: 1250 Aviation Avenue

City: San Jose

State: California Zip: 95110

Phone Number: 408-993-1800

Fax Number: 408-993-1800

Email Address: davidlewisnmn@yahoo.com

**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 503345

Authorized User Name David Lewis

**9. Signature:***David Lewis*

Signature

David Lewis

Name of Person Signing

11/25/2008 DBYRNE 00000050356769

01 FC:8021

40.00 GP

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

PATENT  
REEL: 021909 FRAME: 0069

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☒ Authorized to be charged to deposit account  
☐ Enclosed (Enclosed is a check for \$1,060 which includes \$40 for the assignment recordation)  
☐ None required (government interest not affecting title)

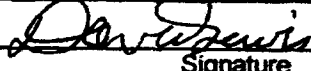
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Name of Person Signing

 Oct 31, 2008  
 Date

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11/05/2008 RHEBRAH1 00000017 503345 10356769

11 FC:8021

40.00 DP

**State of California**  
Secretary of State



I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify:

That the attached transcript of 2 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

SEP 18 2008

DEBRA BOWEN  
Secretary of State

## AMENDED AND RESTATED ARTICLES OF INCORPORATION

OF

SPARK TECHNOLOGY CORPORATION

ENDORSED - FILED  
in the office of the Secretary of State  
of the State of California

SEP 16 2008

Mr. David Lee and Mr. Randy Lee hereby certify that:

A. They are respectively the president and secretary of SPARK TECHNOLOGY CORPORATION, a California corporation.

B. The articles of incorporation of this corporation are hereby amended and restated in their entirety to read as set forth below:

**"ARTICLE I.**

The name of this corporation is SPARKTECH CORPORATION (the "Corporation").

**ARTICLE II.**

The purpose of the Corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California other than the banking business, the trust company business or the practice of a profession permitted to be incorporated by the California Corporations Code.

**ARTICLE III.**

This Corporation is authorized to issue only one class of shares of stock which shall be designated as "Common Stock"; and the total number of shares of Common Stock which this Corporation is authorized to issue is 20,000,000 shares, with no par value.

**ARTICLE IV.**

1. **Limitation of Directors' Liability.** The liability of the directors of this Corporation for monetary damages shall be eliminated to the fullest extent permissible under California law.

2. **Indemnification of Corporate Agents.** This Corporation is authorized to provide indemnification of its agents (as defined in Section 317 of the California General Corporations Law) through bylaw provisions, agreements with agents, vote of shareholders or disinterested directors, or otherwise, in excess of the indemnification otherwise permitted by such Section 317, subject only to the limits set forth in Section 204 of the California General Corporations Law with respect to actions for breach of duty to the Corporation and its shareholders.

3. **Repeal or Modification.** Any repeal or modification of the foregoing provisions of this Article IV shall not adversely affect any right of indemnification or limitation of liability of an