

FORM PTO-1594
1-31-92

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE
Patents and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
LEGATO SYSTEMS, INC.

Individual(s) Association
 General Partnership Limited Partnership
 Corporation-State: Delaware
 Other

Additional name(s) of conveying parties attached? Yes No

2. Name and address of receiving party(ies)
Name: **EMC CORPORATION**
Internal Address:
Street Address: **2350 El Camino Real**
City: Mountain View State: CA ZIP: 94040-1456

Individual(s) citizenship
 Association
 General Partnership
 Limited Partnership
 Corporation-State: **Massachusetts**
 Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

(Designation must be a separate document from Assignment)

Additional names and addresses attached? Yes No

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other:

Execution Date: **October 12, 2003**

4. Application Number(s) or Registration Number(s).
A. Trademark Application No(s):

Additional numbers attached? Yes No

B. Trademark Registration No(s): **2702940 ALPHASTOR**

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: **Bruce W. Schwab, Esq.
TOWNSEND AND TOWNSEND AND CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 576-0200**

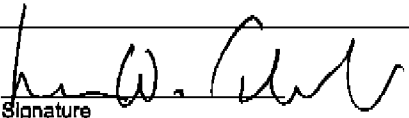
6. Total number of applications and registrations involved **23**

7. Total fee (37 CFR 3.41): **\$580.00**
 Enclosed Charge Fees to Deposit Account
 Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account.

8. Deposit account number: **20-1430**
(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.
To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.

<u>Bruce W. Schwab</u> Name of Person Signing	 Signature	Date 11/13/03
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Total number of pages including cover sheet, attachments and document: **4**

10. Change Correspondence Address to that of Part 5? Yes No
OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover to:

Asst. Commissioner for Trademarks
Box: Assignments
Washington, D.C. 20231

CH \$580.00 201430 2702940

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 Recordation Form Cover Sheet
 Trademarks Only
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1. Additional name(s) of conveying party(ies):
 (Continued from Page 1)

2. Additional name(s) and address(es) of receiving party(ies):
 (Continued from Page 1)

3. Additional application number(s) or registration number(s):
 (Continued from Page 1)

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

CELESTRA		2430972 02/27/2001	Registered
CLIENTPAK		2049846 04/01/1997	Registered
COPEASE		2309236 01/18/2000	Registered
G.E.M.S.		2398883 10/31/2000	Registered
LEGATO		2382750 09/05/2000	Registered
LEGATO		1697472 06/30/1992	Registered
LEGATO NETWORKER		2382756 09/05/2000	Registered
LEGATO NETWORKER		1703213 07/28/1992	Registered
NETWORKER	76/365913 01/30/2002		Pending
NETWORKER BUSINESSSUITE		2272723 08/24/1999	Registered
OCTOPUS		1941501 12/12/1995	Registered
QUIKSTARTZ	76/367905 02/07/2002		Pending
RECTANGLE DESIGN		2393071 10/10/2000	Registered
REPLISTOR		2660791 12/10/2002	Registered
SAN ACADEMY		2554283 03/26/2002	Registered
SCH		2256237 06/29/1999	Registered
SCH TECHNOLOGIES		2256236 06/29/1999	Registered
SCH TECHNOLOGIES		2399796 10/31/2000	Registered
SNAPSHOTSERVER		2437797 03/27/2001	Registered
TRILLIANT GROUP		2289639 10/26/1999	Registered
TRILLIANT GROUP & DESIGN		2690450 02/25/2003	Registered
TRILLIANT GROUP & DESIGN		2690450 02/25/2003	Registered

Delaware

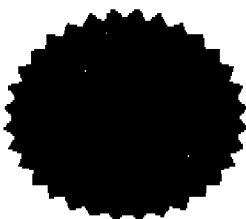
PAGE 1

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 OWNERSHIP, WHICH MERGES:

"LEGATO SYSTEMS, INC.", A DELAWARE CORPORATION,

WITH AND INTO "EMC CORPORATION" UNDER THE NAME OF "EMC CORPORATION", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF MASSACHUSETTS, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTIETH DAY OF OCTOBER, A.D. 2003, AT 5:56 O'CLOCK P.M.



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

3717446 8100M
030673016

AUTHENTICATION: 2710519

DATE: 10-24-03

TRADEMARK
REEL: 002746 FRAME: 0625

OCT. 24. 2003 4:58PM

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NO. 0384 P. 3

State of Delaware
Secretary of State
Division of Corporations
Delivered 05:56 PM 10/20/2003
FILED 05:56 PM 10/20/2003
SRV 030673016 - 2172679 FILE

CERTIFICATE OF OWNERSHIP AND MERGER

MERGING

LEGATO SYSTEMS, INC.

INTO

EMC CORPORATION

EMC Corporation, a corporation organized and existing under the laws of the Commonwealth of Massachusetts,

DOES HEREBY CERTIFY:

FIRST: That this corporation was incorporated on the 23rd day of August, 1979, pursuant to the General Laws, Chapter 156B of the Commonwealth of Massachusetts.

SECOND: That this corporation owns all of the outstanding shares of common stock of LEGATO Systems, Inc., a corporation incorporated on the 15th day of September, 1988, pursuant to Section 102 of the General Corporation Law of the State of Delaware.

THIRD: That this corporation, by the following votes of its Board of Directors, duly adopted on October 14, 2003 by the unanimous written consent of its members, filed with the minutes of the Board, determined to and did merge into itself said LEGATO Systems, Inc.:

VOTED: That effective at the Effective Time, EMC Corporation merge LEGATO Systems, Inc. into itself and assume all of the liabilities and obligations of LEGATO Systems, Inc.; and

FURTHER VOTED: That in connection with the merger of LEGATO Systems, Inc. with and into EMC Corporation, the appropriate officers of EMC Corporation be, and they hereby are, authorized and directed to prepare, execute and deliver in the name and on behalf of EMC Corporation any required document or certificate, including without limitation any certificate of ownership or certificate or articles of merger, which may include any required information, including without limitation, as appropriate, a copy of these votes to merge LEGATO Systems, Inc. and assume its liabilities and obligations, the date of adoption of such votes or the effective date of such merger, and to file the same as required by applicable law in the offices of the Secretaries of State of the Commonwealth of Massachusetts or the State of Delaware; and that any such documents, certificates,

articles and filings are hereby authorized and approved as the proper acts and deeds of EMC Corporation: and

**FURTHER
VOTED:**

That the appropriate officers of EMC Corporation be, and they hereby are, authorized and directed to do all acts and things whatsoever, including without limitation satisfying any applicable franchise tax or other obligations by or on behalf of LEGATO Systems, Inc., whether within or without the Commonwealth of Massachusetts or the State of Delaware, which may be in any way necessary or proper to effect such merger of LEGATO Systems, Inc.

FOURTH: That this corporation survives the merger and may be served with process in the State of Delaware in any proceeding for enforcement of any obligation of LEGATO Systems, Inc. as well as for enforcement of any obligation of the surviving corporation arising from the merger, including any suit or other proceeding to enforce the right of any stockholder as determined in appraisal proceedings pursuant to the provisions of Section 262 of the General Corporation Law of the State of Delaware, and it does hereby irrevocably appoint the Secretary of State of Delaware as its agent to accept service of process in any such suit or other proceeding. The address to which a copy of such process shall be mailed by the Secretary of State of Delaware is the Office of the General Counsel, EMC Corporation, 176 South Street, Hopkinton, MA 01748, until the surviving corporation shall have hereafter designated in writing to the said Secretary of State a different address for such purpose. Service of such process may be made by personally delivering to and leaving with the Secretary of State of Delaware duplicate copies of such process, one of which copies the Secretary of State of Delaware shall forthwith send by registered mail to EMC Corporation.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, said EMC Corporation has caused this Certificate to be signed by Paul T. Dacier, its Senior Vice President and General Counsel, this 20th day of October, 2003.

EMC CORPORATION

/s/ Paul T. Dacier
Paul T. Dacier
Senior Vice President and General Counsel