

07-08-1998

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OMB No. 0651-0011 (exp. 4/94)

MEMO 7-2-98
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100755844

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

1. Name of conveying party(ies):

ichat, Inc.

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

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: 05/29/98

2. Name and address of receiving party(ies)

Name: Acuity Corp
 Internal Address:
 Street Address: 11100 Metric Blvd., Bldg. 7, Suite
 City: Austin State: TX ZIP: 78758

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State DE
- Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
(Designations must be a separate document from assignment)
Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

A. Trademark Application No.(s)

75/427,445; 75/400,750; 75/222,106; 75/223,037;
75/400,752; 75/400,751

B. Trademark Registration No.(s)

2,096,799; 2,138,874; 2,090,641

Additional numbers attached? Yes No

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

Name: Clarissa E. Marischen
 Internal Address:
 Street Address: 301 Congress Ave., Ste. 1200
 City: Austin State: TX ZIP: 78701

6. Total number of applications and registrations involved: 9

7. Total fee (37 CFR 3.41).....\$ 240.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

07/07/1998 SMITH 00000054 75427445

01 FC:481 40.00 DP
02 FC:482 200.00 DP

DO NOT USE THIS SPACE

9. Statement and signature.

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

Clarissa E. Marischen
Name of Person Signing

Clarissa Marischen
Signature

6/29/98
Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments

Washington, D.C. 20231

TRADEMARK

REEL: 1748 FRAME: 0606

**CERTIFICATE OF AMENDMENT
OF
CERTIFICATE OF INCORPORATION
OF
iCHAT, INC.**

iChat, Inc., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "Corporation"), does hereby certify:

FIRST: That pursuant to a Unanimous Written Consent of the Board of Directors of the Corporation, a resolution was duly adopted setting forth a proposed amendment to the Certificate of Incorporation of said Corporation, declaring said amendment to be advisable. The resolution setting forth the proposed amendments is as follows:

RESOLVED: That, subject to the approval of the stockholders of the Corporation, Article FIRST of the Certificate of Incorporation of the Corporation is hereby amended to read in its entirety as follows:

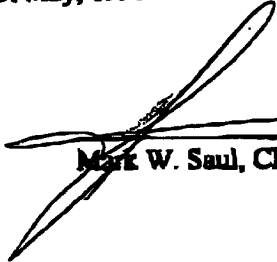
"FIRST: The name of this corporation is Acuity Corp."

SECOND: That in lieu of a meeting and vote of the stockholders of the Corporation, such stockholders have given written consent to said amendment in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware.

THIRD: That said amendment was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

FOURTH: That the capital of said Corporation shall not be reduced under or by reason of said amendment.

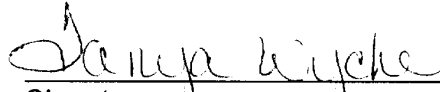
IN WITNESS WHEREOF, said iclar, Inc. has caused this Certificate to be signed by Mark
W. Saul, its Chief Executive Officer, this 29 day of May, 1998



Mark W. Saul, Chief Executive Officer

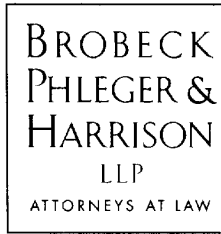
**CERTIFICATE OF U.S. EXPRESS MAIL
UNDER 37 CFR 1.10**

I, Tanya Wyche, do hereby certify that the foregoing document(s) is/are being deposited with the United States Postal Service as U.S. Express Mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Trademarks, Arlington, VA 22202-3513, on this date of July 1, 1998.


Signature

EM436817018US
Express Mail Number

TELEPHONE: (512) 477-5495
FACSIMILE: (512) 477-5813
WRITER'S DIRECT DIAL:



301 CONGRESS AVENUE
SUITE 1200
AUSTIN
TEXAS 78701

July 1, 1998

VIA U.S. EXPRESS MAIL

Commissioner of Patents and Trademarks
Washington, DC 20231
Box ASSIGNMENTS

Re: Recordation Form Cover Sheet for Trademarks
Applicant: Acuity Corporation, (f/k/a ichtat, Inc.)
SN: 75/427,445; 400,750; 222,106; 223,037; 400,752; 400,751;
400,752
Our Ref. No.: 024394.0004(T001, T002, T003, T006; T019; T022;
T023; T024; T025

Dear Sir:

Enclosed for filing is a Recordation Form Cover Sheet and document evidencing assignment, a fee check and a postcard for return as verification of receipt.

Your assistance is appreciated and we look forward to hearing from you.

Very truly yours,

BROBECK, PHLEGER & HARRISON LLP

Carmen R. Canann
Senior IP Paralegal

Enclosures

cc: Laura Toups
Clarissa E. Marischen

::ODMA\PCDOCS\AUSLIB1\31012\1

SAN FRANCISCO PALO ALTO LOS ANGELES ORANGE COUNTY SAN DIEGO NEW YORK AUSTIN DENVER LONDON*

RECORDED: 07/02/1998 BROBECK HALE AND DORR INTERNATIONAL LLP OFFICE 1748 FRAME: 0610