

10-16-1998

Form PTO-1595  
1-31-92



U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

100851821

10-7-98

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

1. Name of conveying party(ies): Sports-Mitt International, Inc.  
  
 Individual(s)  Association  
 General Partnership  Limited Partnership  
 Corporation - California  
 Other

2. Name and address of receiving party(ies)?  
Name: Excel Innovations, Inc.  
Internal Address:  
Street Address: 48 Shattuck Square  
City Berkeley State CA Zip 94704

Additional name(s) of conveying party(ies) attached?  
 yes  no

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

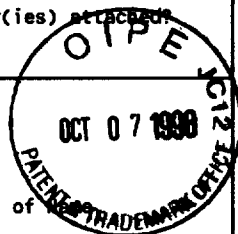
3. Nature of Conveyance:

Assignment  Merger  
 Security Agreement  Change of  
 Other

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

Execution Date: March 18, 1996

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



4. Application number(s) or registration number(s): One

If this document is being filed together with a new application, the execution date of the application is:

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 1,814,475

Additional numbers attached?  Yes  No

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

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N.W.  
Suite 800  
Washington, D.C. 20037-3202  
Ellen M. Baker

6. Total number of applications and registration involved: 1

7. Total Fee (37 CFR 3.41): \$40.00  
 Enclosed. Please charge any underpayment in connection with this Assignment to Deposit Account No. 19-4880.

Authorized to be charged to Deposit Account

8. Deposit Account No. 19-4880

(Attach dupl. copy of this page if paying by Deposit Account)

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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.

Ellen M. Baker  
Name

October 7, 1998  
Date

TOTAL NUMBER OF PAGES COMPRISING COVER SHEET, ATTACHMENTS AND DOCUMENT:

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

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Mail documents to be recorded with required cover sheet information to:  
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TRADEMARK  
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# State of California

SECRETARY OF STATE

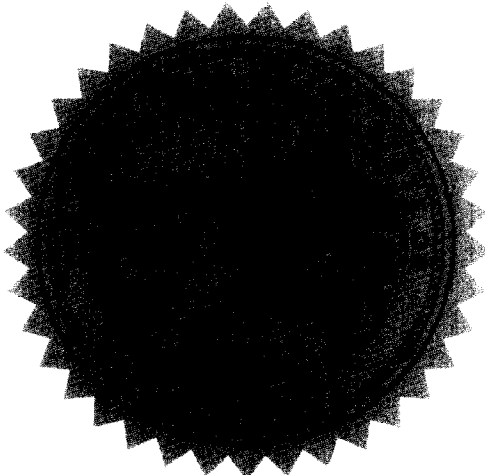


I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the attached transcript of   1   page(s) was prepared by and in this office from the record on file, 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

SEP 08 1998



*Bill Jones*

Secretary of State

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CERTIFICATE OF AMENDMENT OF THE AMENDED AND RESTATED ARTICLES OF INCORPORATION OF SPORTS-MITT INTERNATIONAL, INC.

Ned Hoffman and David Silen certify that:

1. They are the President and Secretary, respectively, of SPORTS-MITT INTERNATIONAL, INC., a California Corporation (this "Corporation").

2. Article I of the Amended and Restated Articles of Incorporation of this Corporation is amended to read in its entirety as follows:

"I.

The name of this Corporation is EXCEL INNOVATIONS, INC."

3. The foregoing amendment of the Articles of Incorporation has been duly approved by the Board of Directors.

4. The foregoing amendment of the Articles of Incorporation has been duly approved by the required vote of shareholders in accordance with Section 902 of the Corporations Code. The total number of outstanding shares of this Corporation is Six Hundred Fifty-Three Thousand Seven Hundred Seventy-Six (653,776) Common Stock shares. The number of shares voting in favor of the amendment equaled or exceeded the vote required. The percentage vote required was more than fifty percent (50%).

The undersigned further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of their own knowledge.

Date: March 12, 1996

Handwritten signatures of Ned Hoffman and Harold Silen over their printed names and titles: Ned Hoffman, President; Harold Silen, Secretary.



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

MAR 18 1996

Bill Jones, Secretary of State

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