

01-12-1999



100939195

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- ☒ New
- ☐ Resubmission (Non-Recordation)
Document ID #
- ☐ Correction of PTO Error
Reel # Frame #
- ☐ Corrective Document
Reel # Frame #

Conveyance Type

- ☐ Assignment ☐ License
- ☐ Security Agreement ☐ Nunc Pro Tunc Assignment
- ☒ Merger ☐ Change of Name
- ☐ Other
- Effective Date
Month Day Year

Conveying Party

☐ Mark if additional names of conveying parties attached

Execution Date
Month Day Year

09/01/98

Name

Formerly

- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☒ Corporation ☐ Association
- ☐ Other
- ☒ Citizenship/State of Incorporation/Organization

Receiving Party

☐ Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)
- ☐ Corporation ☐ Association
- ☒ Other

☒ Citizenship/State of Incorporation/Organization

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK
REEL: 1838 FRAME: 0134

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages Enter the total number of pages of the attached conveyance document including any attachments.

#

Trademark Application Number(s) or Registration Number(s)

☐ Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

<input type="text" value="1,736,237"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="1,739,570"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="1,719,992"/>	<input type="text"/>	<input type="text"/>

Number of Properties

Enter the total number of properties involved.

#

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed ☐

Deposit Account ☒

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes ☒

No ☐

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. Charges to deposit account are authorized, as indicated herein.

Name of Person Signing


Signature

Date Signed

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"DMX INC.", A DELAWARE CORPORATION,
WITH AND INTO "DMX, LLC" UNDER THE NAME OF "DMX, LLC", A
LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS
OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE
THE THIRTY-FIRST DAY OF AUGUST, A.D. 1998, AT 9 O'CLOCK A.M.
A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE
NEW CASTLE COUNTY RECORDER OF DEEDS.



Edward J. Freel

Edward J. Freel, Secretary of State

2932073 8100M

981339066

AUTHENTICATION:

9279704

DATE:

08-31-98

TRADEMARK
REEL: 1838 FRAME: 0136

**CERTIFICATE OF MERGER OF
DMX INC.**

**a Delaware corporation,
with and into
DMX, LLC,**

**a Delaware limited liability company,
which shall be the surviving entity of the merger.**

1. This Certificate of Merger is between DMX Inc., a Delaware corporation ("DMX Inc."), and DMX, LLC, a Delaware limited liability company ("Survivor").
2. This agreement of merger has been approved and adopted, certified, executed and acknowledged by each of the constituent corporation and the constituent limited liability company in accordance with Section 18-209 of the Delaware Limited Liability Company Act.
3. Effective September 1, 1998 at 12:01 a.m. Mountain Time ("the Effective Date"), DMX Inc. shall be merged with and into the Survivor and the separate existence of DMX Inc. shall cease, with the effect that the Survivor shall thereupon and thereafter possess and be vested with all the rights, privileges, immunities, franchises, causes of action and property and be responsible and liable for all the liabilities and obligations of DMX Inc. Upon the Effective Date each share of DMX Inc. shall be canceled. From and after the Effective Date, the Certificate of Formation and Operating Agreement of the surviving limited liability corporation shall be the Certificate of Formation and Operating Agreement of Survivor.
4. An executed agreement of merger is on file at an office of the surviving limited liability company at 8101 Prentice Avenue, Suite 500, Englewood, Colorado 80111.
5. A copy of the agreement of merger will be furnished by the surviving limited liability company on request and without cost to any stockholder or member of any constituent corporation or limited liability company.
6. This merger shall be effective on the Effective Date unless terminated prior to that date by the board of directors of any constituent corporation or limited liability company.

DMX INC.,
a Delaware corporation

DMX, LLC,
a Delaware limited liability company

By: *Gary M. Sustarsic*
Gary Sustarsic
Vice President

By: TCI Music, Inc., Member

By: _____
Stephen M. Brett
Vice President

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**DMX INC.,
a Delaware corporation**

By: _____
Gary Sustarsic
Vice President

**DMX, LLC,
a Delaware limited liability company**

By: TCI Music, Inc., Member

By: _____
Stephen M. Brett
Vice President