

RECC

04-08-1999

EET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

APR 2

Tab settings = = =



To the Honorable Commissioner of Patent

101005370

ad original documents or copy thereof.

1. Name of conveying party(ies):

Stac, Inc.

- Individual(s)
- General Partnership
- Corporation-State - Delaware
- 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: March 11, 1999

2. Name and address of receiving party(ies)

Name: Stac Software, Inc.

Internal Address:

Street Address: 12636 High Bluff Drive, #400

City: San Diego State: CA ZIP: 92130

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

B. Trademark Registration No.(s)

2,155,227	2,012,849	1,865,676
1,865,675	1,858,448	1,891,659
1,683,662	1,561,882	1,129,185

Additional numbers attached? Yes No

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

Name: Mary E. Cohen

Internal Address: Senior Legal Assistant

Irell & Manella LLP

Street Address: 1800 Avenue of the Stars

City: Los Angeles State: CA ZIP: 90067

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)

04/08/1999 DNGUYEN 00000075 2155227

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.

Mary E. Cohen

Name of Person Signing

Mary E. Cohen
Signature

3/31/99
Date

Total number of pages including cover sheet, attachments, and document: 4

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

TRADEMARK
REEL: 1880 FRAME: 0011

CERTIFICATE OF OWNERSHIP AND MERGER

MERGING

STAC SOFTWARE, INC.

INTO

STAC, INC.

Pursuant to Section 253 of the
General Corporation Law of the State of Delaware

STAC, INC., a corporation organized and existing under the General Corporation Law of the State of Delaware ("the "Company"),

DOES HEREBY CERTIFY:

FIRST: That this Company owns all of the outstanding shares of Stac Software, Inc., a corporation organized and existing under the General Corporation Law of the State of Delaware.

SECOND: That this Company, by the following resolutions of its Board of Directors, duly adopted at a meeting held on December 8, 1998, determined to merge Stac Software, Inc. into itself on the terms and conditions set forth in such resolutions:

RESOLVED, that the Company's wholly-owned subsidiary, Stac Software, Inc., be merged into the Company and that the Company shall be the surviving corporation in such merger pursuant to Section 253 of the GCL;

RESOLVED FURTHER, that such merger shall become effective as of 5:00 p.m. Eastern Standard Time on the date of the filing of a Certificate of Ownership and Merger in the form reviewed and approved by the Board at this meeting with the Secretary of State of the State of Delaware in accordance with Section 253 of the GCL;

RESOLVED FURTHER, that upon the effectiveness of the merger, the Company shall assume all of the liabilities and obligations of Stac Software, Inc.;

RESOLVED FURTHER, that upon the effectiveness of the merger, the name of the Company shall be changed to Stac Software, Inc., and Article I of the Company's Certificate of Incorporation shall thereby be amended to read as follows:

"I.

The name of this corporation is Stac Software, Inc."

RESOLVED FURTHER, that the officers of the Company be, and each of them hereby is, authorized and directed, for and on behalf of the Company, to take all action deemed necessary or appropriate with respect to the foregoing merger and name change, including but not limited to filing such statements and certificates with the Secretaries of State of the States of Delaware, California and any other state as may be deemed necessary or appropriate by such officers, and that any and all such actions that may have been taken to date are hereby authorized, ratified, approved and confirmed in all respects.

IN WITNESS WHEREOF, Stac, Inc. has caused this certificate to be signed by Gary W. Clow, its authorized officer, on December 8, 1998.

STAC, INC.

By: 

Gary W. Clow
Chief Executive Officer

State of Delaware
Office of the Secretary of State PAGE 1

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 OWNERSHIP, WHICH MERGES:

"STAC SOFTWARE, INC.", A DELAWARE CORPORATION,
WITH AND INTO "STAC, INC." UNDER THE NAME OF "STAC SOFTWARE, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE SIXTEENTH DAY OF DECEMBER, A.D. 1998, AT 1 O'CLOCK P.M.



2592589 8100M

991096195

A handwritten signature in cursive script, reading "Edward J. Freel".

Edward J. Freel, Secretary of State

AUTHENTICATION: 9623762

DATE: 03-11-99

RECORDED: 04/02/1999

TRADEMARK
REEL: 1880 FRAME: 0014