

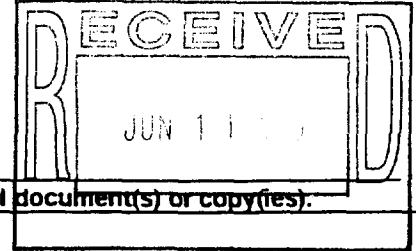
06-15-1999



101065100

6-11-99

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  
Effective Date  
Month Day Year
- Merger
- Change of Name
- Other

Conveying Party

Mark if additional names of conveying parties attached

Name  Execution Date  
Month Day Year

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/AKATA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City State/Country Zip Code

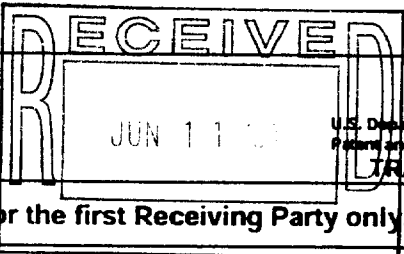
- Individual
- General Partnership
- Limited Partnership
- Corporation
- Association
- Other
- Citizenship/State of Incorporation/Organization

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.)

06/15/1999 DNGUYEN 00000096 200052 75539943  
01 FC:481 40.00 CH

FOR OFFICE USE ONLY

40E



**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

(503) 294-3095 x 127

Name

Frank X. Curci

Address (line 1)

LeBoeuf, Lamb, Greene & MacRae, LLP

Address (line 2)

222 S.W. Columbia, Suite 1600

Address (line 3)

Portland, OR 97201

Address (line 4)

**Pages**

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

#

four

**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)

75/539943

**Number of Properties**

Enter the total number of properties involved.

#

one

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

40.00

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:

#

20-0052

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.

Christine E. Wilson

Scott Smyth, Vice President

Name of Person Signing

and Secretary

Signature

Date Signed

5-28-99

*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 AMENDMENT OF "HOME DATA, INC.", CHANGING ITS NAME FROM "HOME DATA, INC." TO "CLEARSOURCE, INC.", FILED IN THIS OFFICE ON THE TWENTIETH DAY OF AUGUST, A.D. 1998, AT 6 O'CLOCK P.M.



2837735 8100

991130759

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

*Edward J. Freel, Secretary of State*

AUTHENTICATION: 9667687

DATE: 04-05-99  
TRADEMARK

REEL: 001912 FRAME: 0245

**CERTIFICATE OF AMENDMENT OF  
RESTATED CERTIFICATE OF INCORPORATION OF  
HOME DATA, INC.**

HOME DATA, 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 as follows:

First: The Board of Directors of the Corporation duly adopted a resolution declaring advisable and submitting for the approval of the stockholders of the Corporation entitled to vote thereon a proposed amendment to the Corporation's Restated Certificate of Incorporation.

Second: Thereafter, acting by written consent in lieu of a special meeting of stockholders pursuant to Section 228 of the Delaware General Corporation Law, the proposed amendment to the Corporation's Restated Certificate of Incorporation was duly adopted by the stockholders of the Corporation in accordance with Section 242 thereof.

Third: The Corporation's Restated Certificate of Incorporation is hereby amended as set forth on Exhibit A hereto.

IN WITNESS WHEREOF, Home Data, Inc has caused this Certificate to be signed by Terrell Alan Poth, its President, this 20th day of August, 1998.

HOME DATA, INC.

By: /s/ Terrell Alan Poth

Name: Terrell Alan Poth

Title: President

**EXHIBIT A**

**AMENDMENT TO RESTATED CERTIFICATE OF INCORPORATION  
OF  
HOME DATA, INC**

1 Article One is hereby amended and restated in its entirety as follows

"The name of the corporation is ClearSource, Inc (the "Corporation") "

2 Except as provided above, the Corporation's Restated Certificate of Incorporation shall remain in full force and effect in accordance with its terms

AFFIDAVIT

STATE OF TEXAS )  
 ) ss.  
County of TRAVIS )

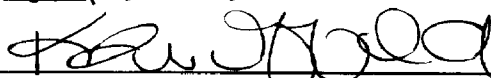
I, Scott Smyth, being first duly sworn, do say:

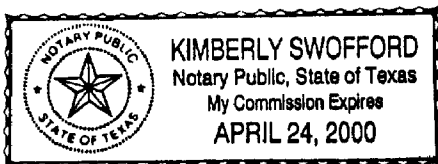
1. I am the Vice President and Secretary of ClearSource, Inc., a Delaware corporation (the "Company").
2. On or about August 20, 1998, the Company filed the Certificate of Amendment of Restated Articles of Incorporation with the office of the Delaware Secretary of State changing its name from "Home Data, Inc." to "ClearSource, Inc." A certified copy of the Certificate of Amendment of Restated Articles of Incorporation is attached hereto.
3. The Company has one trademark application pending:  
  
"Clearsource", Serial No. 75/539943, filed on or about August 20, 1998 (the "Pending Mark").
4. The application to register the Pending Mark was submitted to the U.S. PTO in the name of Home Data, Inc., as the applicant.
5. On behalf of the Company, I have submitted herewith Form PTO-1618A requesting that the Commissioner of Patents and Trademarks record the name change of the Company with regard to the Registered Mark.
6. The statements set forth in this affidavit are, to the best of my knowledge, true or are statements made on information and belief and believed to be true.
7. I have been warned that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that any such willful false statements may jeopardize the validity of the Registered Mark or any registration of the Pending Mark (as such terms are defined above) resulting therefrom.

DATED this 28th day of May, 1999.

  
\_\_\_\_\_  
Scott Smyth, Vice President and Secretary of ClearSource, Inc.

SUBSCRIBED AND SWORN to before me this 28th day of May, 1999.

  
\_\_\_\_\_  
NOTARY PUBLIC FOR TEXAS  
My Commission Expires: April 24, 2000



LEBOEUF, LAMB, GREENE & MACRAE  
L.L.P.

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

NEW YORK  
WASHINGTON  
ALBANY  
BOSTON  
DENVER  
HARRISBURG  
HARTFORD  
HOUSTON  
JACKSONVILLE

KOIN CENTER  
SUITE 1600  
222 S.W. COLUMBIA STREET  
PORTLAND, OR 97201

(503) 294-3095  
FACSIMILE (503) 294-3895

WRITER'S DIRECT DIAL:  
(503) 525-5127

LOS ANGELES  
NEWARK  
PITTSBURGH  
PORTLAND, OR  
SALT LAKE CITY  
SAN FRANCISCO  
BRUSSELS  
MOSCOW  
ALMATY  
LONDON  
(A LONDON BASED  
MULTINATIONAL PARTNERSHIP)

June 10, 1999

Commissioner of Patents & Trademarks  
Box Assignments  
Washington, D.C. 20231

Re: Amendment to Trademark Application to Reflect Change of  
Name of Applicant  
Our File No. 03233-00851

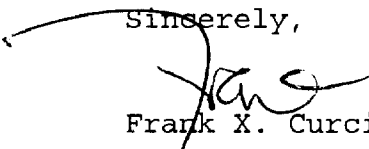
Dear Sir or Madam:

Enclosed are the following documents relating to the change of name  
of the applicant Home Data, Inc. to ClearSource, Inc. ("the Company"):

1. Form PTO-1618 (pages 1-2), Recordation Form Cover Sheet;
2. Affidavit of Scott Smyth, Vice President and Secretary of  
ClearSource, Inc., declaring the Company's change of name;  
and
3. Certificate of Amendment of Restated Certificate of  
Incorporation of Home Data, Inc. to reflect the change of the  
Company's name.

Please send the confirmation of this filing to me at the above  
address. Feel free to call me if you have any questions.

Sincerely,

  
Frank X. Curci

Enclosures

POR 15065.1 03233 00851  
6/10/99 12:55 PM

RECORDED: 06/11/1999

TRADEMARK  
REEL: 001912 FRAME: 0249