

08-10-1999

U.S. Patent & TMOrc/TM Mail RcptDt. #40

08-20-1999



101121943

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 **8-10-99**

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
Effective Date
Month Day Year

Change of Name

Other

Conveying Party Mark if additional names of conveying parties attached

Name Execution Date
Month Day Year

AKA

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 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.)

COPIES 00000104 082170 1796936 FOR OFFICE USE ONLY

40.00 CH **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

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" value="1,796,936"/>	<input type="text"/>	<input type="text"/>
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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.

Heinz D. Grether

Name of Person Signing

Signature

10 Aug 1999

Date Signed

**RECORDATION FORM COVER SHEET
CONTINUATION
TRADEMARKS ONLY**

FORM PTO-1618C
Expires 06/30/99
OMB 0651-0027

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

Conveying Party

Enter Additional Conveying Party

Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name

Formerly

Individual General Partnership Limited Partnership Corporation Association

Other

Citizenship State of Incorporation/Organization

Receiving Party

Enter Additional 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 the Assignment.)

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

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

Mark if additional numbers attached

Trademark Application Number(s)

Registration Number(s)

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The State of Texas

SECRETARY OF STATE

TRADEMARK

REEL 970 FRAME 26

The undersigned, as Secretary of State of the State of Texas, **HEREBY CERTIFIES** that the attached is a true and correct copy of the following described instruments on file in this office:

Articles of Merger for LIGHTWAVE RESEARCH, INC., a Texas corporation, and HIGH END SYSTEMS, INC., a Texas corporation, for which a Certificate of Merger was issued on October 28, 1992; that according to the terms of the Merger the surviving corporation is HIGH END SYSTEMS, INC., a Texas corporation.

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IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, this

26th day of March, A.D. 1993

dem

John Hannah Jr
Secretary of State



PLAN AND AGREEMENT OF MERGER

This Plan and Agreement of Merger (the "Plan") is adopted effective October 1, 1992, by and between High End Systems, Inc., a Texas corporation (hereinafter referred to as the "Surviving Corporation"), and Lightwave Research, Inc., a Texas corporation (hereinafter referred to as "Merged Corporation").

ARTICLE I

1.1 Plan of Merger. A Plan of Merger of the Surviving Corporation and the Merged Corporation, pursuant to the provisions of The Texas Business Corporation Act, is adopted as follows:

(a) The Merged Corporation shall be merged with and into the Surviving Corporation to exist and be governed by the laws of the State of Texas.

(b) The name of the surviving corporation shall be: High End Systems, Inc.

(c) When this Agreement shall become effective, the separate existence of the Merged Corporation shall cease and the Surviving Corporation shall succeed without other transfer, to all the rights and property of the Merged Corporation and shall be subject to all the debts and liabilities of such corporation in the same manner as if the Surviving Corporation had itself incurred them. All rights of creditors and all liens upon the property of each constituent corporation shall be preserved, unimpaired, limited in lien to the property affected by such liens immediately prior to the merger.

(d) The Surviving Corporation will carry on the operations and functions of the Merged Corporation, as well as the operations and functions of the Surviving Corporation.

(e) The Surviving Corporation will carry on its operations and functions with the assets of the Merged Corporation, as well as its own assets.

(f) The stockholders of the Merged Corporation will automatically become stockholders of the Surviving Corporation upon the merger as follows:

One Share of the Surviving Corporation will be issued for every one Share outstanding of the Merged Corporation.

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(g) The members of the Surviving Corporation will retain their shares of stock the Surviving Corporation.

1.2 Effective Date. The Effective Date of the merger is intended to be October 1, 1992.

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ARTICLES OF MERGER
OF
LIGHTWAVE RESEARCH, INC.
AND
HIGH END SYSTEMS, INC.

FILED
In the Office of the
Secretary of State of Texas
RECEIVED 28 FEB 9 10 AM '62
CORPORATIONS SECTION
TRADE MARK

To the Secretary of State
of the State of Texas

Pursuant to the provisions of Article 5.04 of the Texas Business Corporation Act, the domestic corporations herein named do hereby adopt the following articles of merger:

1. The names of the constituent corporations are LIGHTWAVE RESEARCH, INC. ("Lightwave") and HIGH END SYSTEMS, INC. (the "Corporation"), both of which are business corporations organized under the laws of the State of Texas, and they are subject to the provisions of the Texas Business Corporation Act.

2. Annexed hereto and made a part hereof is the Plan of Merger for merging Lightwave with and into the Corporation, as approved by the directors and the shareholders of the said constituent corporations.

3. The number of shares of Lightwave which were outstanding at the time of the approval of the Plan of Merger by its shareholders is 38,500, all of which are of one class.

The number of the aforesaid outstanding shares which were voted for the Plan of Merger is 38,500; no shares were voted against the same.

4. The number of shares of the Corporation which were outstanding at the time of the approval of the Plan of Merger by its shareholders is 38,000, all of which are of one class.

The number of the aforesaid outstanding shares which were voted for the Plan of Merger is 38,000, and no shares were voted against the same.

5. The Corporation will continue to exist as the surviving corporation under its present name, pursuant to the provisions of the Texas Business Corporation Act.

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Executed on October 1, 1992.

LIGHTWAVE RESEARCH, INC.

By: [Signature]
Name: Richard Belliveau
Title: President

HIGH END SYSTEMS, INC.

By: [Signature]
Name: Robert Schacherl
Title: President

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