

10-25-1999

SHEET

Attorney Docket No. 5976.0058

10/19/99



101184779

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

1. Name(s) of conveying party(ies):  
InfoBeat Inc.

Individual(s)       Association  
 General Partnership       Limited Partnership  
 Corporation

Other: \_\_\_\_\_

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:  
 Assignment       Merger  
 Security Agreement       Change of Name

Other: \_\_\_\_\_

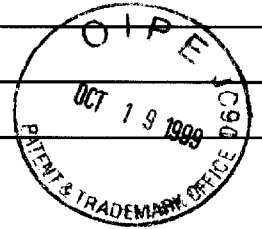
Execution Date: January 22, 1999

2. Name(s) and address(es) of receiving party(ies):  
Name: Exactis.com, Inc.  
Address: 707 17th Street  
Suite 2850  
Denver, CO 80202

Individual(s)  
 Association  
 General Partnership  
 Limited Partnership  
 Corporation - Delaware  
 Other:

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No  
(Designation must be a separate document from Assignment)

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



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

A. Trademark Application No.(s)  
75/496,378 CUSTOMCAST  
75/618,865 EXACTIS  
75/605,867 Miscellaneous Design

B. Trademark Registration No.(s)  
1,981,105 Miscellaneous Design

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Lisa Peller London  
Address: Finnegan, Henderson, Farabow,  
Garrett & Dunner, L.L.P.  
1300 I Street, N.W.  
Washington, D.C. 20005-3315

6. Total number of applications and registrations involved: 4

7. Total fee (37 CFR 3.41): \$ 115

Enclosed  
 Authorized to be charged to deposit account  
 Authorized to be charged to deposit account only if fee is deficient

8. Deposit account number:  
06-0916

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.

Lisa Peller London      Lisa Peller London      10/13/99  
Name of Person Signing      Signature      Date

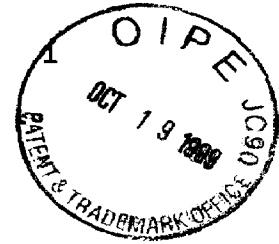
10/22/1999 MTHAI1 00000196 75496378

Total number of pages including cover sheet, attachments, and document: 5

01 FC:481 40.00 OP  
02 FC:482 75.00 OP

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 THAT THE SAID "INFOBEAT INC.", FILED A CERTIFICATE OF AMENDMENT, CHANGING ITS NAME TO "EXACTIS.COM, INC.", THE TWENTY-SECOND DAY OF JANUARY, A.D. 1999, AT 4:35 O'CLOCK P.M.



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

Edward J. Freel, Secretary of State

AUTHENTICATION:

2644661 8320

DATE: 9981833

991393627

09-21-99

TRADEMARK

REEL: 001978 FRAME: 0594

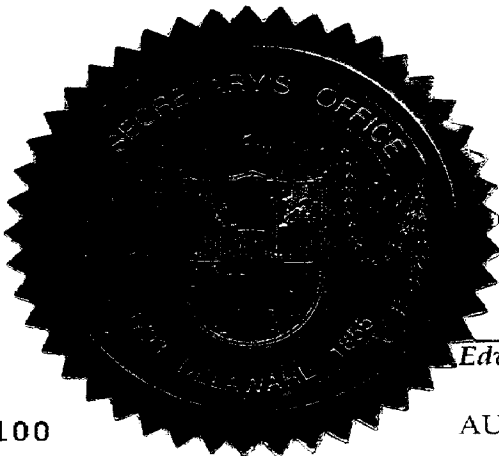
State of Delaware  
Office of the Secretary of State

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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 "INFOBEAT INC.", CHANGING ITS NAME FROM "INFOBEAT INC." TO "EXACTIS.COM, INC.", FILED IN THIS OFFICE ON THE TWENTY-SECOND DAY OF JANUARY, A.D. 1999, AT 4:35 O'CLOCK P.M.



A handwritten signature in cursive script, which appears to read "Edward J. Freel".

Edward J. Freel, Secretary of State

2644661 8100

991393627

AUTHENTICATION: 9981834

DATE: 09-21-99

TRADEMARK

REEL: 001978 FRAME: 0595



**CERTIFICATE OF AMENDMENT  
TO THE  
RESTATED CERTIFICATE OF INCORPORATION, AS AMENDED,  
OF INFOBEAT INC.**

InfoBeat Inc., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware, DOES HEREBY CERTIFY:

FIRST: The original name of the corporation was Mercury Mail, Inc., and its current name is InfoBeat Inc. (the "Corporation" or the "Company").

SECOND: The date on which the Certificate of Incorporation of the corporation was originally filed with the Secretary of State of the State of Delaware was July 17, 1996.

THIRD: The Board of Directors of the corporation, acting in accordance with the provisions of Sections 141(f) and 242 of the General Corporation Law of the State of Delaware, adopted a resolution to amend Article I to read in its entirety as follows:

**"I**


The name of this corporation is Exactis.com, Inc."

FOURTH: The foregoing Certificate of Amendment has been duly adopted by the directors and stockholders of the corporation for their approval in accordance with the provisions of Sections 141, 228 and 242 of the General Corporation Law of the State of Delaware, and notice of such adoption has been provided in accordance with said Section 228.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, InfoBeat Inc. has caused this Certificate of Amendment to be signed by its duly authorized officer this 22<sup>nd</sup> day of January, 1999.

**INFOBEAT INC.**

By:   
Tom Detmer  
President and Chief Executive Officer