

10-26-1999

Docket No.:

P/7



101185022

Tab settings → → →

To the Honorable Commissioner of Patent

attached original documents or copy thereof.

1. Name of conveying party(ies):

Distribution Architects International, Inc.

10/22/99

- Individual(s)
- General Partnership
- Corporation-State Texas
- Other
- Association
- Limited Partnership

Additional names(s) of conveying party(ies) Yes No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: June 10, 1999

2. Name and address of receiving party(ies):

Name: Symix Acquisition Corp.

Internal Address:

Street Address: 2800 Corporate Exchange Drive

City: Columbus State: OH ZIP: 43231

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

If assignee is not domiciled in the United States, a domestic designation is Yes N
(Designations must be a separate document from Additional name(s) & address(es) Yes N

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

A. Trademark Application No.(s)

See Attached Schedule A

B. Trademark Registration No.(s)

See Attached Schedule A

Additional numbers Yes No

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

Name: Cory M. Amron, Esquire

Internal Address: Vorys Sater Seymour and Pease

Street Address: 1828 L Street, N.W., 11th Floor

City: Washington State: DC ZIP: 20036

6. Total number of applications and registrations involved:.....

15

7. Total fee (37 CFR 3.41):.....\$ \$390.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

22-0585

DO NOT USE THIS SPACE

10/25/1999 MTHA11 00000320 73740867

01 FC:481 40.00 OP
02 FC:482 350.00 OP

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.

Cory M. Amron

Name of Person Signing

Cory M. Amron
Signature

October 21, 1999




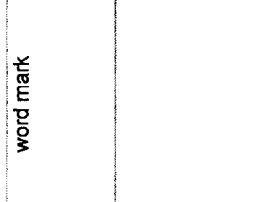
Date

Total number of pages including cover sheet, attachments, and

18

SCHEDULE A

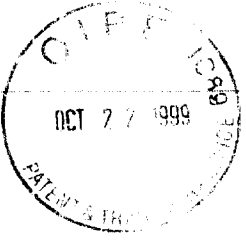
DISTRIBUTION ARCHITECTS INTERNATIONAL, INC.
Active Trademark Registrations
(United States)

Trademark Name	Application Number	File Date	Registration Number	Registration Date	Class	Description	Status	Word mark
AGEMA	73/740,867	7/19/88	1,536,215	4/25/2009	9	Infrared sensors, infrared scanners and displays, computer interfaces and computer programs for analysis of thermal images.	Registered	
DA and DESIGN	73/791,780	4/07/89	1,566,957	11/21/89	9	Computer programs for use in management of manufacturing and distribution.	Registered	
DA and DESIGN	75/444,256	3/4/98	2,235,877	3/30/2009	9	Computer software for use in business applications, namely, sales, rentals, customer service, sales force automation, inventory, purchasing, receiving, warehousing, financials, forecasting, manufacturing resource planning, transportation resource planning, distribution resource planning, retail resource planning, electronic data interchange, electronic commerce, importing, exporting, telemarketing, and executive information systems.	Registered	
DA (STYLIZED LETTERS)	74/695,140	6/29/95	1,984,034	7/2/2006	9	Computer software for use in business applications, namely, sales, rentals, customer service, sales force automation, inventory, purchasing, receiving, warehousing, financials, forecasting, manufacturing resource planning, transportation resource planning, distribution resource planning, retail resource planning, electronic data interchange, electronic commerce, importing, exporting, telemarketing, and executive information systems.	Registered	
DISTRIBUTION ARCHITECTS	73/741,506	7/22/88	1,536,216	7/25/2009	9	Computer programs for use in the management of manufacturing and wholesale and retail distribution of products.	Registered	word mark

OCT 27 1999

DISTRIBUTION ARCHITECTS INTERNATIONAL, INC.
Active Trademark Registrations
(United States)

Trademark Name	Application Number	Filing Date	Registration Number	Registration Date	Class	Description	Status	Mark Type
SOLUTION SERVER	74/630,926	2/7/95	2,007,093	10/8/96	9	Computer software for use in business applications, namely, sales, rentals, customer service, sales force automation, inventory, purchasing, receiving, warehousing, financials, forecasting, manufacturing resource planning, transportation resource planning, distribution resource planning, retail resource planning, electronic data interchange, electronic commerce, importing, exporting, telemarketing, and executive information systems.	Registered	word mark
THE PERMANENT SOLUTION	74/664,386	4/21/95	2,005,297	10/1/96	9	Computer software for use in business applications, namely, sales, rentals, customer service, sales force automation, inventory, purchasing, receiving, warehousing, financials, forecasting, manufacturing resource planning, transportation resource planning, distribution resource planning, retail resource planning, electronic data interchange, electronic commerce, importing, exporting, telemarketing, and executive information systems.	Registered	word mark
VISIBLE CONCEPTS	74/664,383	4/21/95	2,005,296	10/1/96	9	Computer software for use in business applications, namely, sales, rentals, customer service, sales force automation, inventory, purchasing, receiving, warehousing, financials, forecasting, manufacturing resource planning, transportation resource planning, distribution resource planning, retail resource planning, electronic data interchange, electronic commerce, importing, exporting, telemarketing, and executive information systems.	Registered	word mark

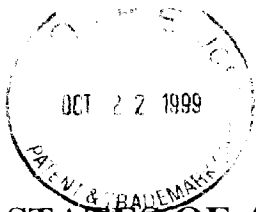


DISTRIBUTION ARCHITECTS INTERNATIONAL, INC.
 Active Trademark Registrations
 (United States)

Serial Number	Registration Number	Registration Date	Expiry Date	Class	Goods/Services	Status	Designation
VISIBLE RESULTS	74/620,450	1/12/95	7/23/96	9	Computer software for use in business applications, namely, sales, rentals, customer service, sales force automation, inventory, purchasing, receiving, warehousing, financials, forecasting, manufacturing resource planning, transportation resource planning, distribution resource planning, retail resource planning, electronic data interchange, electronic commerce, importing, exporting, telemarketing, and executive information systems.	Registered	word mark
VISIBLE RESULTS	75/297,022	5/23/97	9/1/98	9	Computer Software for use in business applications, namely, sales, rentals, customer service, sales force automation, inventory, purchasing, receiving, warehousing, financials, forecasting, manufacturing resource planning, transportation resource planning, distribution resource planning, retail resource planning, electronic data interchange, electronic commerce, importing, exporting telemarketing, and executive information systems, and electronic commerce	Registered	word mark
VR-BIS	75/297,020	5/23/97	7/21/98	9	Computer software for use in business application, namely, sales, customer service, sales force automation, electronic data interchange, electronic commerce, and executive information systems.	Registered	word mark
VR-BIZ	75/444,623	3/4/98	3/30/99	9	Computer software for use in business applications, namely, entering sales, providing customer information, sales force automation, electronic data interchange, electronic commerce, and providing information to company executives.	Registered	word mark

DISTRIBUTION ARCHITECTS INTERNATIONAL, INC.
 Active Trademark Registrations
 (United States)

Trademark Name	Applicant	Fil. Date	Registration No.	Class	Goods	Class	Design Code
VR-GATEWAY	75/309,176	6/16/97	2,241,490	4/27/99	4/27/2009	9	Registered
						Computer Software for use in business applications, namely, sales, rentals, customer service, sales force automation, inventory, purchasing, receiving, warehousing, financials, forecasting, manufacturing resource planning, transportation resource planning, distribution resource planning, retail resource planning, electronic data interchange, electronic commerce, importing, exporting telemarketing, and executive information systems	word mark
VR-MDS	75/297,019	5/23/97	2,171,234	7/7/98	7/7/2008	9	Registered
						Computer software for use in business applications, namely, sales, rentals, customer service, sales force automation, inventory, purchasing, receiving, warehousing, financials, forecasting, manufacturing resource planning, transportation resource planning, distribution resource planning, retail resource planning, electronic data interchange, electronic commerce, importing, exporting, telemarketing, and executive information systems.	word mark
WE ARE THE DISTRIBUTION IN .COM	75/696,837	5/03/99				42	Pending
						Consultation services in the field of computers, computer hardware, computer software, computer networks, and computer systems; computer systems integration services; computer programming and maintenance of computer software for others	word mark



**UNITED STATES OF AMERICA,
STATE OF OHIO,
OFFICE OF THE SECRETARY OF STATE.**



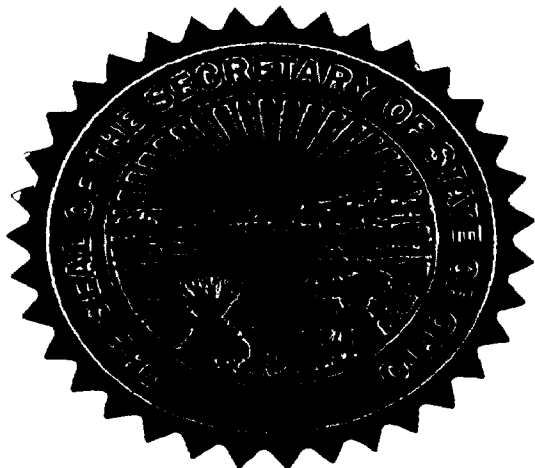
I, J. Kenneth Blackwell, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign corporations; that said records show a Certificate of MERGER of DISTRIBUTION ARCHITECTS INTERNATIONAL, INC., a Texas corporation not qualified to do business within the State of Ohio, into SYMIX ACQUISITION CORP., an Ohio corporation, Charter No. 1062566, the survivor of said Merger, also, a change of corporate title by the surviving corporation to: DISTRIBUTION ARCHITECTS INTERNATIONAL, INC., filed in this office on June 9, 1999, recorded in the Records of Incorporation. Said surviving corporation, DISTRIBUTION ARCHITECTS INTERNATIONAL, INC., an Ohio corporation, Charter No. 1062566, having its principal location in Columbus, County of Franklin, was incorporated on February 24, 1999 and is currently in GOOD STANDING upon the records of this office.

WITNESS my hand and official

seal at Columbus, Ohio on

June 10, 1999

**J. Kenneth Blackwell
Secretary of State**



DATE 6/18/1999 DOCUMENT NO 199916200038 DESCRIPTION MER MERGER/DOMESTIC



FILING 50.00 EXPED 10.00 PENALTY 0.00 CERT 0.00 COPY 0.00
TOTAL 50.00 10.00 0.00 0.00 0.00



Return To:
VORYS,SATER,SEYMOUR AND PEASE
ATTN J C MAKLEY
P O BOX 1008
COLUMBUS, OH 43216-1008

cut along the dotted line



The State of Ohio
 *Certificate* 

Secretary of State - J. Kenneth Blackwell

1062566

It is hereby certified that the Secretary of State of Ohio has custody of the business records for DISTRIBUTION ARCHITECTS INTERNATIONAL, INC. and that said business records show the filing and recording of:

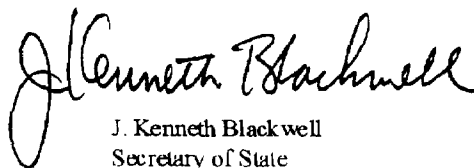
Document(s)
MERGER/DOMESTIC

Document No(s):
199916200038

United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of the Secretary
of State at Columbus, Ohio, this 10th day of
June, A.D. 1999




J. Kenneth Blackwell
Secretary of State

Prescribed by
J. Kenneth Blackwell, Secretary of State
30 East Broad Street, 14th Floor
Columbus, Ohio 43266-0418
Form MER (July 1994)



Approved _____
Date _____
Fee _____

CERTIFICATE OF MERGER

In accordance with the requirements of Ohio law, the undersigned corporations, limited liability companies and/or limited partnerships, desiring to effect a merger, set forth the following facts:

I. SURVIVING ENTITY

A. The name of the entity surviving the merger is:

Symix Acquisition Corp.

RECEIVED

JUN 09 1999

J. KENNETH BLACKWELL
SECRETARY OF STATE

(if the surviving entity is an Ohio limited partnership or qualified foreign limited partnership, its registration number must be provided)

B. **Name change:** As a result of this merger, the name of the surviving entity has been changed to the following: Distribution Architects International, Inc.

only if the name of surviving entity is changing through the merger) (complete

C. The surviving entity is a: *(Please check the appropriate box and fill in the appropriate blanks)*

Domestic (Ohio) corporation

Foreign (Non-Ohio) corporation incorporated under the laws of the state/ country of _____ and licensed to transact business in the state of Ohio.

Foreign (Non-Ohio) corporation incorporated under the laws of the state/country of _____, and NOT licensed to transact business in the state of Ohio.

Domestic (Ohio) limited liability company

Foreign (Non-Ohio) limited liability company organized under the laws of the state/country of _____, and registered to do business in the state of Ohio.

Foreign (Non-Ohio) limited liability company organized under the laws of the state/country of _____, and NOT registered to do business in the state of Ohio.

Domestic (Ohio) limited partnership, registration number _____

- Foreign (Non-Ohio) limited partnership organized under the laws of the state/country of _____, and registered to do business in the state of Ohio, under registration number _____
- Foreign (Non-Ohio) limited partnership organized under the laws of the state/country of _____ and NOT registered to do business in the state of Ohio.

II. Merging Entities

The name, type of entity, and state/country of incorporation or organization, respectively, of each entity, other than the survivor, which is a party to the merger are as follows: *(If insufficient space to cover this item, please attach a separate sheet listing the merging entities; Ohio registered or foreign qualified limited partnerships must include registration number)*

Name	State/ Country of Organization	Type of Entity
<u>Distribution Architects International, Inc.</u>	<u>Texas</u>	<u>for profit corporation</u>

III. Merger Agreement on File

The name and mailing address of the person or entity from whom/which eligible persons may obtain a copy of the agreement of merger upon written request:

Name	Address
<u>Lawrence W. DeLeon</u>	<u>Symix Systems, Inc.</u> <u>2800 Corporate Exchange Drive</u> (street and number) <u>Columbus, Ohio 43231</u> (city, village or township) (state) (zip code)

IV. Effective Date of Merger

This merger is to be effective:

On 6-10-1999 *(if a date is specified, the date must be a date on or after the date of filing; the effective date of the merger cannot be earlier than the date of filing; if no date is specified, the date of filing will be the effective date of the merger).*

V. Merger Authorized

The laws of the state or country under which each constituent entity exists, permits this merger.

This merger was adopted, approved and authorized by each of the constituent entities in compliance with the laws of the state under which it is organized, and the persons signing this certificate on behalf of each of the constituent entities are duly authorized to do so .

VI. Statutory Agent

The name and address of the surviving entity's statutory agent upon whom any process, notice or demand may be served is:

Name

Address

(complete street address)

(city, village or township)

(zip code)

(This item MUST be completed if the surviving entity is a foreign entity which is not licensed, registered or otherwise authorized to conduct or transact business in the State of Ohio)

Acceptance of Agent

The undersigned, named herein as the statutory agent for the above referenced surviving entity, hereby acknowledges and accepts the appointment of statutory agent for said entity.

Signature of Agent

(The acceptance of agent must be completed by domestic surviving entities if through this merger the statutory agent for the surviving entity has changed, or the named agent differs in any way from the name reflected on the Secretary of State's records.)

VII. Statement of Merger

Upon filing, or upon such later date as specified herein, the merging entity/entities listed herein shall merge into the listed surviving entity.

VIII. Amendments

~~The articles of incorporation, articles of organization or certificate of limited partnership (strike the inapplicable terms) of the surviving domestic entity herein, are amended as set forth in the attached "Exhibit A"~~

(Please note that any amendments to articles of incorporation, articles of organization or to a certificate of limited partnership MUST be attached if the surviving entity is a DOMESTIC corporation, limited liability company, or limited partnership.)

IX. Qualification or Licensure of Foreign Surviving Entity

A. The listed surviving foreign corporation, limited liability company, or limited partnership desires to transact business in Ohio as a foreign corporation, foreign limited liability company, or foreign limited partnership, and hereby appoints the following as its statutory agent upon whom process, notice or demand against the entity may be served in the State of Ohio. The name and complete address of the statutory agent is:

(name) (street and number)
_____, Ohio _____
(city, village or township) (zip code)

The subject surviving foreign corporation, limited liability company or limited partnership irrevocably consents to service of process on the statutory agent listed above as long as the authority of the agent continues, and to service of process upon the Secretary of State if the agent cannot be found, if the corporation, limited liability company or limited partnership fails to designate another agent when required to do so, or if the corporation's, limited liability company's, or limited partnership's license or registration to do business in Ohio expires or is cancelled.

B. The qualifying entity also states as follows: (complete only if applicable)

1. Foreign Qualifying Limited Liability Company

(If the qualifying entity is a foreign limited liability company, the following information must be completed)

- a. The name of the limited liability company in its state of Organization/registration is _____

- b. The name under which the limited liability company desires to transact Business in Ohio is _____

- c. The limited liability company was organized or registered on _____ under the laws of the state/country of _____
month day year
- d. The address to which interested persons may direct request for copies of the articles of organization, operating agreement, bylaws, or other charter documents of the company is: _____

Foreign Qualifying Limited Partnership

(If the qualifying entity is a foreign limited partnership, the following information must be completed)

a. The name of limited partnership is _____

b. The limited partnership was formed on _____
month day year
under the laws of the state/country of _____

c. The address of the office of the limited partnership in its state/country of organization is _____

d. The limited partnership's principal office address is _____

e. The names and business or residence addresses of the GENERAL Partners of the partnership are as follows:

Name	Address
_____	_____
_____	_____
_____	_____

(If insufficient space to cover this item, please attach a separate sheet listing the general partners and their respective addresses)

f. The address of the office where a list of the names and business or residence addresses of the limited partners and their respective capital contributions is to be maintained is:

The limited partnership hereby certifies that it shall maintain said records until the registration of the limited partnership in Ohio is cancelled or withdrawn.

The undersigned constituent entities have caused this certificate of merger to be signed by its duly authorized officers, partners and representatives on the date(s) stated below.

Symix Acquisition Corp.
exact name of entity
By: [Signature]
Its: Vice President, Secretary & Treasurer
Date: June 9, 1999

Distribution Architects International, Inc.
exact name of entity
By: [Signature]
Its: President, Secretary & Treasurer
Date: June 9, 1999

exact name of entity
By: _____
Its: _____
Date: _____

exact name of entity
By: _____
Its: _____
Date: _____

exact name of entity
By: _____
Its: _____
Date: _____

exact name of entity
By: _____
Its: _____
Date: _____

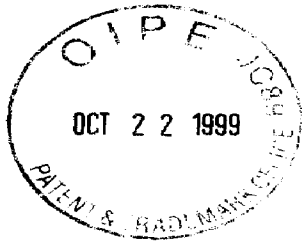
exact name of entity
By: _____
Its: _____
Date: _____

exact name of entity
By: _____
Its: _____
Date: _____

exact name of entity
By: _____
Its: _____
Date: _____

exact name of entity
By: _____
Its: _____
Date: _____

Please note that the chairman of the board, the president, vice president, secretary or an authorized attorney must sign on behalf of each constituent corporation, and at least one general partner must sign on behalf of each constituent limited partnership. If insufficient space for signatures, a separate sheet should be attached containing such signatures.



UNITED STATES OF AMERICA,
STATE OF OHIO,
OFFICE OF THE SECRETARY OF STATE

I, J. Kenneth Blackwell, Secretary of State of the State of Ohio, do hereby certify that the foregoing is a true and correct copy, consisting of 4 pages, as taken from the original record now in my official custody as Secretary of State.

WITNESS my hand and official seal at
Columbus, Ohio, this 17th day of
June A.D. 1999



J. Kenneth Blackwell

J. KENNETH BLACKWELL
Secretary of State

By: J. Biount

NOTICE: This is an official certification only when reproduced in red ink