

I

11-17-1999

HEET



101202865

Patent and Trademark Office
Docket No. 026879-2000

MFD 11.15.99

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

1. Name of Conveying party(ies): Viador, Inc. <input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State <input type="checkbox"/> Other California Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party(ies): Name: Viador Inc. Street Address: 167 Second Avenue San Mateo, California 94401 <input type="checkbox"/> Individual(s) citizenship: _____ <input type="checkbox"/> Association: _____ <input type="checkbox"/> General Partnership: _____ <input type="checkbox"/> Limited Partnership: _____ <input checked="" type="checkbox"/> Corporation-State: <u>Delaware</u> <input type="checkbox"/> Other: _____ Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Nature of conveyance: <input type="checkbox"/> Assignment <input checked="" type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: Execution Date: October 21, 1999			
4. Application number(s) or registration number(s): A. Trademark Application No.(s) B. Registration No.(s) 75/579,068, 75/496,784, 75/496,786, 75/496,783, 75/496,785, 75/586,106 and 75/586,107 Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5. Name and address of party to whom correspondence concerning document should be mailed: Rochelle D. Alpert, Esq. Brobeck, Phleger & Harrison LLP Spear Street Tower One Market San Francisco, CA 94105		6. Total number of applications and trademark registrations involved: 7 7. Total fee (37 C.F.R. § 3.41): \$190.00 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account, referencing Attorney Docket: 026879-2000 8. Deposit account number: <u>02-3950</u>	

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.21 which may be required by this paper, or to credit any overpayment to Deposit Account No. 02-3950.

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.

Name: Rochelle D. Alpert

Signature

November 5, 1999

Total number of pages comprising cover sheet, attachment and document: 3

11/18/1999 BNGUYEN 00000100 75579068

01 FC:481
02 FC:48240.00 DP
150.00 DPMail documents to be recorded with required cover sheet information to:
Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

CERTIFICATE OF MERGER

OF

VIADOR, INC., a California Corporation,

AND

VIADOR INC., a Delaware Corporation

It is hereby certified that:

FIRST: The constituent business corporations participating in the merger herein certified are:

- (i) Viador, Inc., which is incorporated under the laws of the State of California ("California Viador"); and
- (ii) Viador Inc., which is incorporated under the laws of the State of Delaware ("Delaware Viador").

SECOND: An Agreement and Plan of Merger has been approved, adopted, certified, executed, and acknowledged by each of the aforesaid constituent corporations in accordance with the provisions of Section 252 of the General Corporation Law of the State of Delaware.

THIRD: The name of the surviving corporation in the merger herein certified is that of Delaware Viador, which will continue its existence as said surviving corporation under its present name upon the effective date of said merger pursuant to the provisions of the General Corporation Law of the State of Delaware.

FOURTH: The Amended and Restated Certificate of Incorporation of Delaware Viador, attached hereto as Exhibit A, shall continue to be the Certificate of Incorporation of said surviving corporation until amended and changed pursuant to the provisions of the General Corporation Law of the State of Delaware.

FIFTH: The executed Agreement and Plan of Merger between the aforesaid constituent corporations is on file at the office of the aforesaid surviving corporation, the address of which is 167 Second Avenue, San Mateo, California 94401.

SIXTH: A copy of the aforesaid Agreement and Plan of Merger will be furnished by the aforesaid surviving corporation, on request, and without cost, to any stockholder of each of the aforesaid constituent corporations.

SEVENTH: This Certificate of Merger, and the merger described herein, shall not become effective until 11:45 a.m., Eastern Standard Time, on October 25, 1999, at which

TRADEMARK

REEL: 001988 FRAME: 0767

time and date this Certificate of Merger, and the merger described herein, shall be and become effective for all purposes.

IN WITNESS WHEREOF, each of California Viador and Delaware Viador has caused this Certificate of Merger to be executed by its authorized officer this 21st day of October, 1999.

VIADOR, INC., a California corporation

By: /s/ Stan X. Wang
Stan X. Wang, President and Chief
Executive Officer

ATTEST:

/s/ Raja H. Venkatesh
Raja H. Venkatesh, Secretary

VIADOR INC., a Delaware corporation

By: /s/ Stan X. Wang
Stan X. Wang, President and Chief
Executive Officer

ATTEST:

/s/ Raja H. Venkatesh
Raja H. Venkatesh, Secretary

[SIGNATURE PAGE TO CERTIFICATE OF MERGER]