

12-22-1999



101230042

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

12-07-99

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
- 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

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/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)   
City

State/Country

Zip Code

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

12/21/1999 TTON11 00000252 1049130

FOR OFFICE USE ONLY

01 FC:481 40.00 DP  
02 FC:482 25.00 DP

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

**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="1,849,130"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1,889,752"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**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.*

R.J. Heher, Esq.

Name of Person Signing Signature Date Signed

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 OWNERSHIP, WHICH MERGES:

"SUPERMAC TECHNOLOGY, INC.", A DELAWARE CORPORATION,

WITH AND INTO "RADIUS INC."-UNDER THE NAME OF "RADIUS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF CALIFORNIA, AS RECEIVED AND FILED IN THIS OFFICE THE EIGHTH DAY OF SEPTEMBER, A.D. 1994, AT 4 O'CLOCK P.M.

A CERTIFIED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE KENT COUNTY RECORDER OF DEEDS FOR RECORDING.



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

Edward J. Freel, Secretary of State

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AUTHENTICATION:

DATE: 7236539

09-12-94

**CERTIFICATE OF OWNERSHIP AND MERGER**

**OF**

**SUPERMAC TECHNOLOGY, INC.**

**(A Delaware Corporation)**

**into**

**RADIUS INC.**

**(A California Corporation)**

**Pursuant to Section 1110 of the California Corporations Code  
and Section 253 of the General Corporation Law of the State of Delaware**

**Radius Inc., a California corporation (the "Company"), hereby certifies as follows:**

**FIRST: The Company is incorporated under the laws of the State of California**

**SECOND: The Company owns all of the issued and outstanding shares of SuperMac Technology, Inc. ("SuperMac"), which is incorporated under the Delaware General Corporation Law of the State of Delaware.**

**THIRD: On September 7, 1994, the Board of Directors of the Company adopted following resolutions approving the merger of SuperMac with and into the Company pursuant Section 1110 of the California Corporations Code and Section 253 of the Delaware General Corporation Law:**

**RESOLVED, that the Company merge SuperMac, its wholly-owned subsidiary, with and into the Company (the "Short-Form Merger"), and assume all the obligations of SuperMac pursuant to Section 1110 of the California Corporations Code and Section 253 of the General Corporation Law of the State of Delaware (the "Delaware General Corporation Law");**


**RESOLVED FURTHER, that the Company, as sole stockholder of SuperMac, hereby consents to such Short-Form Merger.**

**FURTHER RESOLVED**, that the proper officers of the Company be, and they be authorized and directed to execute, attest and file a Certificate of Ownership and on behalf of the Company with respect to the Short-Form Merger in accordance with Section 1110 of the California Corporations Code and Section 253 of the Delaware General Corporation Law;

**FURTHER RESOLVED**, that the Company agrees that, pursuant to Section 252(d) Delaware General Corporation Law, incorporated by reference in Section 253(a) of Delaware General Corporation Law, it may be served with process in the State of Delaware in any proceeding for enforcement of any obligation of SuperMac, as well as for enforcement of any obligation of the Company arising from the Short-Form Merger including any suit or proceeding to enforce the right of any shareholder of the Company as determined in appraisal proceedings pursuant to the provisions of Section 262 of Delaware General Corporation Law, and that the Company hereby irrevocably appoints the Secretary of State of Delaware as its agent to accept service of process in any such suit or other proceedings and that a copy of any such process shall be mailed by the Secretary of State to Radius Inc., 1710 Fortune Drive, San Jose, California 95131, Attention: General Counsel.

IN WITNESS WHEREOF, Radius Inc. has caused this Certificate to be signed by W. Berger, its Chairman of the Board, Chief Executive Officer and President, and attests David G. Fine, its Secretary and General Counsel, this seventh day of September, 1994.

RADIUS INC.

By:   
Charles W. Berger  
Chairman of the Board, Chief Executive Officer and President

ATTEST:  
By:   
David G. Fine  
Secretary and General Counsel