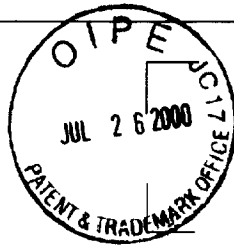


FORM PTO-1618A
Expires 06/30/99
OMB 0651-0027



08-16-2000



101434607

J.S. Department of Commerce
Patent and Trademark Office
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TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
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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)

- Individual General Partnership Limited Partnership
- Corporation Association
- Other

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.)

Citizenship/State of Incorporation/Organization

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08/16/2000 NTHA11 00000007 75928072

01 FC:461
02 FC:482

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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" value="75/928,072"/>	<input type="text" value="75/778,499"/>	<input type="text" value="75/911,829"/>
<input type="text" value="75/600,811"/>	<input type="text"/>	<input type="text"/>
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<input type="text" value="1,967,297"/>	<input type="text" value="1,941,558"/>	<input type="text" value="2,029,258"/>
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<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

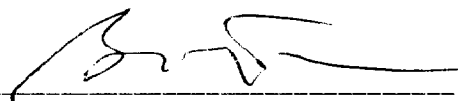
No

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.

Bruce A. Tassan

Name of Person Signing



Signature

7/25/00

Date Signed

**CERTIFICATE OF AMENDMENT
TO
RESTATED CERTIFICATE OF INCORPORATION
OF
DIGITAL MEDICAL SYSTEMS CORPORATION**

(to be renamed "PHYVE CORPORATION")

Pursuant to Section 242 of the
General Corporation Law of the State of Delaware

Digital Medical Systems Corporation (the "Corporation"), a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware, does hereby certify:

FIRST: The first paragraph of the Restated Certificate of Incorporation of the Corporation is hereby amended to read as set forth below:

"FIRST: The name of the Corporation is Phyve Corporation "

SECOND: This amendment to the Restated Certificate of Incorporation has been adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.


IN WITNESS WHEREOF, the Corporation has caused this Certificate to be executed in its corporate name this 10th day of February, 2000.

DIGITAL MEDICAL SYSTEMS CORPORATION

By


Terry Hemmings
President and Chief Executive Officer

ATTEST:


James H. Spalding
Secretary

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 04:30 PM 02/10/2000
001069364 - 2727607

TRADEMARK
REEL: 002120 FRAME: 0597

Office of the Secretary of State

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 "DIGITAL MEDICAL SYSTEMS CORPORATION", CHANGING ITS NAME FROM "DIGITAL MEDICAL SYSTEMS CORPORATION" TO "PHYVE CORPORATION", FILED IN THIS OFFICE ON THE TENTH DAY OF FEBRUARY, A.D. 2000, AT 4:30 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE KENT COUNTY RECORDER OF DEEDS.



Edward J. Freel

Edward J. Freel, Secretary of State

2727607 8100

001069364

AUTHENTICATION: 0252065

DATE: 02-10-00