

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

U.S. Department of Commerce  
Patent and Trademark Office  
**TRADEMARK**

### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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  
Effective Date  
Month Day Year
- Merger
- Change of Name
- Other

#### Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

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

#### FOR OFFICE USE ONLY

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

**TRADEMARK**

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REEL: 002151 FRAME: 0274

FORM PTO-1618B  
Expires 08/30/99  
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U.S. Department of Commerce  
Patent and Trademark Office  
TRADEMARK

**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)**

**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:

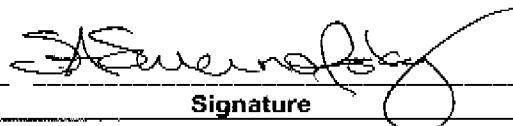
Yes

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.

Steven A. Swernofsky



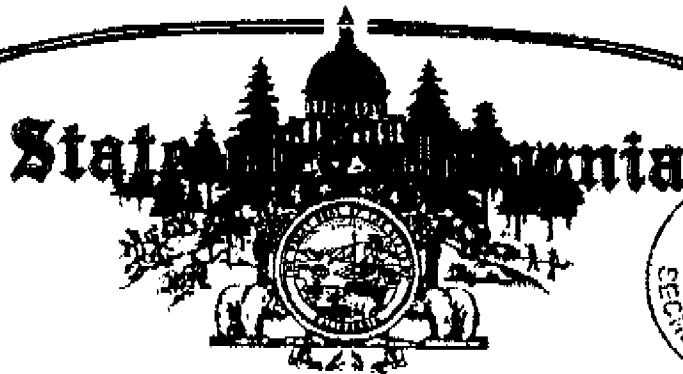
November 14, 2000

Name of Person Signing

Signature

Date Signed

A0541301



**SECRETARY OF STATE**

I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

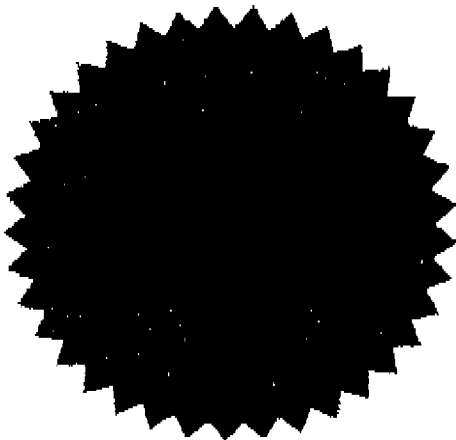
That the attached transcript of 2 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

*IN WITNESS WHEREOF*, I execute this certificate and affix the Great Seal of the State of California this day of

MAR 21 2000

*Bill Jones*

Secretary of State



**CERTIFICATE OF AMENDMENT OF THE  
ARTICLES OF INCORPORATION OF  
BNA SYSTEMS, INC.  
A California Corporation**

**ENDORSED - FILED**  
In the office of the Secretary of State  
of the State of California

**MAR 15 2000**

**BILL JONES, Secretary of State**

The undersigned, Reza Ahy and Judith M. O'Brien, hereby certify that:

**ONE:** They are the duly elected and acting President and Chief Executive Officer and Secretary, respectively, of BNA Systems, Inc., a California corporation.

**TWO:** Article I of the Articles of Incorporation of said Corporation is amended to read in its entirety as follows:

**ARTICLE I**

The name of this Corporation is Aperto Networks, Inc. (the "Corporation").

**THREE:** The foregoing Certificate of Amendment of the Articles of Incorporation has been duly approved by the Board of Directors of said Corporation.

**FOUR:** The foregoing Certificate of Amendment of the Articles of Incorporation has been duly approved by the required vote of shareholders in accordance with Sections 902 and 903 of the California Corporations Code. The total number of outstanding shares of Common Stock of the Corporation entitled to vote hereon is 2,469,574. The total number of outstanding shares of Series A Preferred Stock entitled to vote hereon is 5,116,188. The number of shares voting in favor of the amendment equaled or exceeded the vote required. The percentage voted required was more than 50% of the outstanding shares of the Common Stock and Preferred Stock, voting as a single class.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

The undersigned certify under penalty of perjury that they have read the foregoing Certificate of Amendment of the Articles of Incorporation and know the contents thereof, and that the statements therein are true.

IN WITNESS WHEREOF, the undersigned have executed this certificate on March 19<sup>th</sup>, 2000.

*Reza Ahy*

Reza Ahy, President and Chief Executive Officer

*Judith M. O'Brien*

Judith M. O'Brien, Secretary



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## F A C S I M I L E C O V E R S H E E T

DATE: November 14, 2000 TOTAL # PGS (INCLUDING COVER): 6

TO: Patent and Trademark Assignment System FAX #: (703)306-5995

OF: USPTO TEL #: (703)308-9723

FROM: Steven A. Swernofsky RE: Trademark Application No. 75/901291  
Our docket no.: 164.1004.01

**Please see the accompanying Trademark Recordation Form Cover Sheet and Certificate of Amendment changing the name of the applicant for Trademark Application 75/901291.**

**Thank you.**

**FOREIGN ASSOCIATES: I acknowledge receipt of this fax: \_\_\_\_\_  
(Please acknowledge by return fax)**

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**TRADEMARK**