

11-21-2000

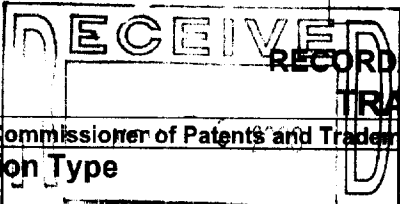
FORM PTO-1618A
Expires 06/30/99
OMB 0651-0027



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

101523416

11-13-00



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

Merger

Change of Name

Other _____

Effective Date
Month Day Year
09 29 2000

Conveying Party

Mark if additional names of conveying parties attached

Name Mosaix, Inc.

Execution Date
Month Day Year
09 28 2000

Formerly _____

75062599

Individual General Partnership Limited Partnership Corporation Association

Other _____

Citizenship/State of Incorporation/Organization Washington

Receiving Party

Mark if additional names of receiving parties attached

Name Avaya Inc.

DBA/AKA/TA _____

Composed of _____

Address (line 1) 211 Mount Airy Road

Address (line 2) _____

Address (line 3) Basking Ridge New Jersey/USA 07920
City State/Country Zip Code

Individual General Partnership Limited Partnership Corporation Association

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.)

Other _____

Citizenship/State of Incorporation/Organization Delaware

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
REEL: 002180 FRAME: 0449

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

(908) 903-6397

Name

Joan T. Pinaire, Esq.

Address (line 1)

Avaya Inc.

Address (line 2)

150 Allen Road - Suite 2000

Address (line 3)

P.O. Box 0895

Address (line 4)

Liberty Corner, New Jersey 07938-0895

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

#

3

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)

75062599 75515418 75441126

2309642 2100302 1762626

75713876 75516219 75149313

2365361 2055836 1765705

75512264 75512802 75624134

2145013 1764306 2194938

Number of Properties

Enter the total number of properties involved.

#

39

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

990

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:

#

501601

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.

Joan T. Pinaire

October 30, 2000

Name of Person Signing

Signature

Date Signed

**RECORDATION FORM COVER SHEET
CONTINUATION
TRADEMARKS ONLY**

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

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

Conveying Party

Enter Additional 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

Enter Additional 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

Corporation Association

Other

Citizenship/State of Incorporation/Organization

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Trademark Application Number(s) or Registration Number(s)

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Mark if additional numbers attached

Trademark Application Number(s)

75587978	75617139	75447564
75512648		

Registration Number(s)

1786298	2034209	1796970
2070667	2000226	1510769
2190043	2178202	1659607
2170813	2189683	1875816
1786300	1711426	1901158
1671627	2315769	1492668

State of Delaware
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 MERGER, WHICH MERGES:

"MOSAIX, INC." A WASHINGTON CORPORATION,
WITH AND INTO "AVAYA INC." UNDER THE NAME OF "AVAYA INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF SEPTEMBER, A.D. 2000, AT 9:01 O'CLOCK A.M.

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



3178280 8100M

001493989



Edward J. Freel, Secretary of State

AUTHENTICATION: 0707917

DATE: 09-29-00

TRADEMARK
REEL: 002180 FRAME: 0452

CERTIFICATE OF MERGER

OF

MOSAIX, INC.

AND

AVAYA INC.

It is hereby certified that:

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

(i) Mosaix, Inc. ("Mosaix"), which is incorporated under the laws of the State of Washington; and

(ii) Avaya Inc. ("Avaya"), which is incorporated under the laws of the State of Delaware.

2. A Plan and Agreement of Merger has been approved, adopted, certified, executed, and acknowledged by each of the aforesaid constituent corporations in accordance with the provisions of subsection (c) of Section 252 of the General Corporation Law of the State of Delaware, to wit, by Mosaix in accordance with the laws of the State of its incorporation and by Avaya in the same manner as is provided in Section 251 of the General Corporation Law of the State of Delaware.

3. The name of the surviving corporation in the merger herein certified is Avaya Inc., 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.

4. The Certificate of Incorporation of Avaya, as now in force and effect, 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.

5. The executed Plan and Agreement of Merger between the aforesaid constituent corporations is on file at an office of the aforesaid surviving corporation, the address of which is 211 Mt. Airy Road, Basking Ridge, New Jersey 07920.

6. A copy of the aforesaid Plan and Agreement 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.

7. The Plan and Agreement of Merger between the aforesaid constituent corporations provides that the merger herein certified shall be effective on September 29, 2000.

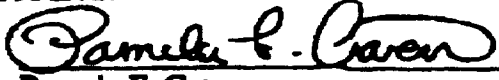
8. The authorized capital stock of Mosaix consists of 1,000 shares without par value and shall, at the effective time of the merger, be surrendered and extinguished.

MOSADK, INC.

By: 
Name: Michael J. Holikay
Title: Vice President

Dated: 9/28/00

AVAYA INC.

By: 
Name: Pamela F. Craven
Title: Vice President