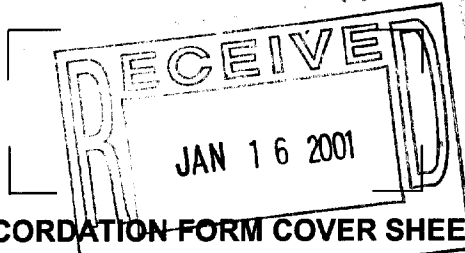


02-02-2001



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U.S. Department of Commerce  
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1.16 01

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#### Conveyance Type

- Assignment  License
- Security Agreement  Nunc Pro Tunc Assignment
- Merger  Effective Date  
Month Day Year  
9/26/00
- Change of Name
- Other \_\_\_\_\_

#### Conveying Party

Mark if additional names of conveying parties attached

Name Formida Software Corporation

Execution Date  
Month Day Year  
9/20/2000

Formerly \_\_\_\_\_

76135071

- Individual  General Partnership  Limited Partnership  Corporation  Association

Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization Delaware

#### Receiving Party

Mark if additional names of receiving parties attached

Name Xmarc, Inc.

DBA/AKA/TA \_\_\_\_\_

Composed of \_\_\_\_\_

Address (line 1) 2005 Hamilton Avenue Suite 350

Address (line 2) \_\_\_\_\_

Address (line 3) San Jose

CA

95125

- Individual  General Partnership  Limited Partnership  Corporation  Association

Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization Delaware

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of ad hoc representative should be attached. (Designation must be a separate document from Assignment.)

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**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

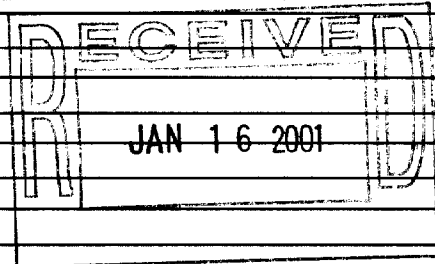
Name

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" value="76135071"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="2327260"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="76135056"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="2166359"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="76134450"/>	<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.

Caroline H. Mead, Esq.

1/12/00

Name of Person Signing

Signature

Date Signed

*State of Delaware*  
*Office of the Secretary of State*

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PAGE 1

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 "FORMIDA SOFTWARE CORPORATION", CHANGING ITS NAME FROM "FORMIDA SOFTWARE CORPORATION" TO "XMARC, INC.", FILED IN THIS OFFICE ON THE TWENTY-FIFTH DAY OF SEPTEMBER, A.D. 2000, AT 9 O'CLOCK A.M.

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



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

---

Edward J. Freel, Secretary of State

2588946 8100

AUTHENTICATION: 0698953

001481625

DATE: 09-26-00

TRADEMARK  
REEL: 002228 FRAME: 0773

**CERTIFICATE OF AMENDMENT**  
**OF**  
**CERTIFICATE OF INCORPORATION**  
**OF**  
**FORMIDA SOFTWARE CORPORATION**


Formida Software Corporation, a corporation duly organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "Corporation"), does hereby certify:

I. The amendment of the Corporation's Certificate of Incorporation set forth below was duly adopted in accordance with the provisions of Section 242 and has been consented to in writing by the sole stockholder and the board of directors, in accordance with Section 228 of the General Corporation Law of the State of Delaware.

II. The First Article of the Corporation's Certificate of Incorporation is amended to read in its entirety as follows:

"The name of the corporation is Xmarc, Inc. (the "Corporation")."

IN WITNESS WHEREOF, the Corporation has caused this Certificate to be executed by Anna Porgieter, its authorized officer, on this 21st day of September, 2000.

  
\_\_\_\_\_  
Anna Porgieter, Secretary

Library PaloAlto; Document # 3480v2  
Account Number: 38824.00001

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 09:00 AM 09/25/2000  
001481625 - 2588946