

02-27-2001

FORM PTO-1594

U.S. DEPARTMENT OF COMMERCE

1-31-92

Patent and Trademark Office



To the Honorable Commissioner of Patents

original documents or copy thereof.

101621503

1. Name of conveying party(ies):
Avistar Systems Corporation *2-6-01*

Individual(s) Association
 General Partnership Limited Partnership
 Corporate - State: **Delaware**

2. Name and address of receiving party(ies):
Name: Avistar Communications Corporation

Internal Address:
Street Address: 555 Twin Dolphin Drive
City: Redwood Shores

State: California **Zip: 94065**

Individual(s) citizenship
 Association
 General Partnership
 Limited Partnership
 Corporate - State: **Delaware**
 Other

Additional name(s) & address(es) attached? Yes No

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of Conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other

Execution Date: **April 12, 2000**

4. Application number(s) or Registration number(s): 12

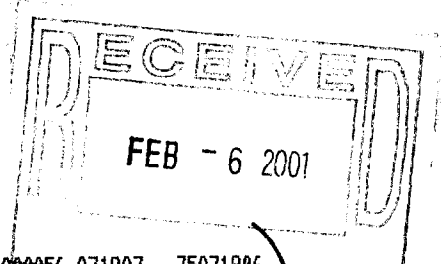
A. Trademark Application No (s):
SEE ATTACHED

B. Trademark Registration No.(s)
75071986
SEE ATTACHED

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Allyn Taylor, Esq.**

Internal Address: **GRAY CARY WARE & FREIDENRICH**
400 Hamilton Avenue
Palo Alto, CA 94301-1823



6. Total number of applications and registrations involved: 12

7. Total fee (37 CFR 3.41) \$ 315.00

Enclosed
 Authorized to be charged to deposit account

8. Deposit account number: **07-1907**. Please debit any underpayment or credit any overpayment to the above deposit account.

GRAY CARY WARE & FREIDENRICH

(Attach duplicate of this page if paying by deposit account)

02/27/2001 DBYRNE 00000056 071907 75071986

01 FC:481 40.00 CH
02 FC:482 275.00 CH

DO NOT USE THIS SPACE

9. 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

Allyn Taylor, Esq.
Name of Person Signing

Allyn Taylor
Signature

Feb 5, 2001
Date

Total number of pages comprising cover sheet: [2]

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
Box Assignments
Washington, DC 20231

Gray Cary\PA\10119523.1
1220393-900800

TRADEMARK
REEL: 002240 FRAME: 0954

TRADEMARK LIST**APPLICATION(S)**

| Mark | Class | Reg/App No. | Reg/App Date |
|-------------|--------------|--------------------|---------------------|
| FACE-MAIL | 38 | 75/071,986 | March 13, 1996 |

REGISTRATION(S)

| | | | |
|-------------------------------|---------|--------------|-------------------|
| AVISTAR SYSTEMS | 9 | 2,167,819 | June 23, 1998 |
| AVISTAR A STAR DESIGN LOGO | 9 | 1,983,723 | July 2, 1996 |
| AVISTAR A STAR DESIGN LOGO | 37 & 42 | 1,951,392 23 | January 23, 1996 |
| AVISTAR DESIGN LOGO | 9 | 1,985,256 | July 9, 1996 |
| AVISTAR DESIGN LOGO | 37 & 42 | 1,960,117 | March 5, 1996 |
| EVX | 9 | 2,302,469 | December 21, 1999 |
| SHAREBOARD | 9 | 2,081,929 | July 22, 1997 |
| SIREN | 9 | 2,064,692 | May 27, 1997 |
| SIREN | 41 & 42 | 2,102,667 | October 7, 1997 |
| VIDEOLAN | 9 | 1,996,265 | August 20, 1996 |
| WORLD ON THE DESKTOP | 9 | 2,120,161 | December 9, 1997 |

State of Delaware
Office of the Secretary of State PAGE 1

I, HARRIET SMITH WINDSOR, 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 "AVISTAR SYSTEMS CORPORATION", CHANGING ITS NAME FROM "AVISTAR SYSTEMS CORPORATION" TO "AVISTAR COMMUNICATIONS CORPORATION", FILED IN THIS OFFICE ON THE THIRTEENTH DAY OF APRIL, A.D. 2000, AT 5 O'CLOCK P.M.



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

3198193 8100

AUTHENTICATION: 0948835

010050704

DATE: 02-01-01

TRADEMARK
REEL: 002240 FRAME: 0956

CERTIFICATE OF AMENDMENT OF
CERTIFICATE OF INCORPORATION OF
AVISTAR SYSTEMS CORPORATION

Avistar Systems Corporation, a corporation organized and existing under the laws of Delaware (the "Company"), pursuant to the provisions of the General Corporation Law of the State of Delaware (the "DGCL"), DOES HEREBY CERTIFY as follows:

1. Article I of the Certificate of Incorporation of this corporation shall be amended and restated to read as follows:

"ARTICLE I: The name of the corporation is Avistar Communications Corporation (the "Corporation")."

2. So much of Article IV, A of the Certificate of Incorporation of this corporation which currently reads as follows:

"A. Authorized Classes of Stock. The Corporation shall be authorized to issue two classes of shares to be designated, respectively, common stock and preferred stock. The total number of shares of common stock this Corporation shall have the authority to issue is 125,000,000 shares with a par value of \$0.001 per share of which 675,863 shall be designated Non-Voting Common Stock and the remaining shares shall be designated Common Stock. The total number of shares of preferred stock this Corporation shall have the authority to issue is 86,000,000 shares with a par value of \$0.001 per share. Of the total number of shares of Preferred Stock, 80,000,000 shares of Preferred Stock shall be designated as Series A Preferred Stock, 5,324,137 shares shall be designated as Series B-1 Preferred Stock and 675,863 shares shall be designated as Series B-2 Preferred Stock (collectively, with the Series B-1 Preferred Stock, the "Series B Preferred Stock")."

is amended and restated to read in full as follows:

"A. Authorized Classes of Stock. The Corporation shall be authorized to issue two classes of shares to be designated, respectively, common stock and preferred stock. The total number of shares of common stock this Corporation shall have the authority to issue is 250,000,000 shares with a par value of \$0.001 per share of which 675,863 shall be designated Non-Voting Common Stock and the remaining shares shall be designated Common Stock. The total number of shares of preferred stock this Corporation shall have the authority to issue is 86,000,000 shares with a par value of \$0.001 per share. Of the total number of shares of Preferred Stock, 80,000,000 shares of Preferred Stock shall be designated as Series A Preferred Stock, 5,324,137 shares shall be designated as Series B-1 Preferred Stock and 675,863 shares shall be designated as Series B-2 Preferred Stock (collectively, with the Series B-1 Preferred Stock, the "Series B Preferred Stock")."

3. The amendment to the Certificate of Incorporation of the Company set forth in this Certificate of Amendment has been duly adopted in accordance with the provisions of Section 242 of the DGCL by (a) the Board of Directors of the Company having duly adopted a resolution setting forth such amendment and declaring its advisability and submitting it to its shareholders for approval and (b) the stockholders of the Company having duly adopted such amendment by written consent.

[Remainder of Page Left Blank Intentionally]

IN WITNESS WHEREOF, the Company has caused this Certificate of Amendment to be signed by Gerald J. Burnett, its Chief Executive Officer, and attested by R. Stephen Heinrichs, its Secretary, this 12th day of April 2000.

AVISTAR SYSTEMS CORPORATION

By: 
Gerald J. Burnett, Chief Executive Officer

ATTEST:

By: 
R. Stephen Heinrichs, Secretary