

05-30-2001



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U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

Form PTO-1594
(Rev. 03/01) 5.22.01
OMB No. 0651-0027 (exp. 5/31/2002)
Tab settings ⇌ ⇌ ⇌ ▼

To the Honorable Commissioner

the attached original documents or copy thereof.

1. Name of conveying party(ies):
digitalNation, Inc.

and address of receiving party(ies)

: Verio Inc.

05-22-2001
U.S. Patent & TMO/TM Mail Rcpt Dt: #58
CLASS:

- Individual(s)
- Association
- General Partnership
- Limited Partnership
- Corporation-State (Virginia)
- Other _____

Street Address: 8005 South Chester St.

City: Englewood State: CO Zip: 80112

Individual(s) citizenship _____

Association _____

General Partnership _____

Limited Partnership _____

Corporation-State Delaware

Other _____

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
(Designations must be a separate document from assignment)
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: 12/24/00

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)
75/357749

B. Trademark Registration No.(s)
2250970

Additional number(s) attached Yes No

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

Name: J. Owen Borum

Internal Address: Gibson, Dunn & Crutcher LLP

Street Address: 1801 California St.
Suite 4100

City: Denver State: CO Zip: 80202

6. Total number of applications and registrations involved: 2

7. Total fee (37 CFR 3.41) \$ 65.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

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

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.

J. Owen Borum
Name of Person Signing

J. Owen Borum
Signature

5/11/01
Date

Total number of pages including cover sheet, attachments, and document: 6

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patent & Trademarks, Box Assignments
Washington, D.C. 20231

TRADEMARK
REEL: 002304 FRAME: 0760

ARTICLES OF MERGER

OF

digitalNATION, INC.

AND

VERIO INC.

To the State Corporation Commission
Commonwealth of Virginia

Pursuant to the provisions of the Virginia Stock Corporation Act governing the merger of a domestic wholly-owned subsidiary business corporation into its foreign parent business corporation, the foreign parent business corporation hereinafter named does hereby submit the following articles of merger.

1. The name of the subsidiary corporation, which is a business corporation organized under the laws of the Commonwealth of Virginia, and which is subject to the provisions of the Virginia Stock Corporation Act, is digitalNATION, Inc.

2. The name of the parent corporation, which is a business corporation organized under the laws of the State of Delaware, is Verio Inc.

3. The outstanding shares of digitalNATION, Inc. are all owned by Verio Inc.

4. The following is the Plan of Merger for merging digitalNATION, Inc. into Verio Inc., as approved by resolution of the Board of Directors of Verio Inc.

"1. Verio Inc., which is a business corporation of the State of Delaware and is the owner of all of the outstanding shares of digitalNATION, Inc., which is a business corporation of the Commonwealth of Virginia, hereby merges digitalNATION, Inc. into Verio Inc., pursuant to the provisions of the Virginia Stock Corporation Act and pursuant to the provisions of the laws of the jurisdiction of organization of Verio Inc.

"2. The separate existence of digitalNATION, Inc. shall cease at the effective time and date of the merger pursuant to the provisions of the Virginia Stock Corporation Act; and Verio Inc. shall continue its existence as the surviving corporation pursuant to the provisions of the laws of the jurisdiction of its organization.

"3. The issued shares of digitalNATION, Inc. shall not be converted in any manner, but each said share which is issued immediately prior to the effective time and date of the merger shall, at the effective time and date of the merger, be surrendered and extinguished.

"4. The Board of Directors and the proper officers of Verio Inc. are hereby authorized, empowered, and directed to do any and all acts and things, and to make, execute, deliver, file, and/or record any and all instruments, papers, and documents which shall be or become necessary, proper, or convenient to carry out or put into effect any of the provisions of this Plan of Merger or of the merger herein provided for.

"5. Verio Inc. is the owner of all of the issued shares of digitalNATION, Inc., and Verio Inc. waived the mailing of a copy of the plan of merger."

5. Shareholder approval was not required for the reason that Subsection A of Section 13.1-719 of the Virginia Stock Corporation Act so provides.

6. The laws of the jurisdiction of organization of Verio Inc. permit a merger of a wholly-owned subsidiary business corporation of another jurisdiction into a parent business corporation of the jurisdiction of organization of Verio Inc.; and the merger of digitalNATION, Inc. into Verio Inc. is in compliance with the laws of the jurisdiction of organization of Verio Inc.

7. The effective time and date of the merger of digitalNATION, Inc. into Verio Inc. in the Commonwealth of Virginia shall be as of 12:01 a.m. on January 1, 2001.

Executed on December 26, 2000.

digitalNATION, Inc.

By: *Steven W. Sackman*
Steven W. Sackman
Assistant Secretary

VERIO INC.

By: *Steven W. Sackman*
Steven W. Sackman
Assistant Secretary

Commonwealth of Virginia

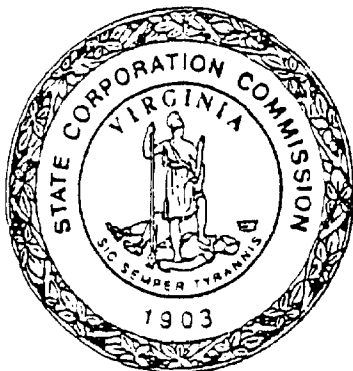


State Corporation Commission

I Certify the Following from the Records of the Commission:

The foregoing is a true copy of the articles of merger filed in this office by VERIO INC.

Nothing more is hereby certified.



*Signed and Sealed at Richmond on this Date:
January 8, 2001*

Joel H. Peck

Joel H. Peck, Clerk of the Commission

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

January 1, 2001

The State Corporation Commission finds the accompanying articles submitted on behalf of

VERIO INC.

to comply with the requirements of law. Therefore, it is ORDERED that this

CERTIFICATE OF MERGER

be issued and admitted to record with the articles in the office of the Clerk of the Commission.
Each of the following:

DIGITALNATION, INC

is merged into VERIO INC., which continues to exist under the laws of DELAWARE with the name VERIO INC.. The existence of each non-surviving entity ceases, according to the plan of merger.

The certificate is effective on January 1, 2001 at 12:01 AM.

STATE CORPORATION COMMISSION

By 

Commissioner

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