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

F 01-16-2002

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



To the Honorable Commissioner of P:

101949265

Original documents or copy thereof.

1. Name of conveying party(ies):

SoundBite Corporation

1-4-02

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

2. Name and address of receiving party(ies)

Name: SoundBite Communications, Inc.

Internal Address: Attn: John McDonough

Street Address: 21 B Street

City: Burlington State: MA Zip: 01803

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Delaware Other

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 4, 2001

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

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

A. Trademark Application No.(s)

76058914

B. Trademark Registration No.(s)

Additional number(s) attached Yes No

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

Name: Jennifer K. Lawson

Internal Address: Testa, Hurwitz & Thibault, LLP

Street Address: 125 High Street

City: Boston State: MA Zip: 02110

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 3.41) Already Paid \$

- 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.

Jennifer K. Lawson Name of Person Signing

Signature

1/4/02 Date

Total number of pages including cover sheet, attachments, and document: 4

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

10-16-2001



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Form PTO-1594  
(Rev. 03/01)  
OMB No. 0651-0027 (exp. 5/31/2002)  
Tab settings ⇐ ⇨ ⇩

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

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

SoundBite Corporation

10.9.01

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

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

2. Name and address of receiving party(ies)

Name: SoundBite Communications, Inc.

Internal Address: Attn: John McDonough

Street Address: 213B Street

City: Burlington State: MA Zip: 01803

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- Limited Partnership
- Corporation-State Delaware
- Other

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Signature

10/5/01

Date

Total number of pages including cover sheet, attachments, and document:  4

10/15/2001 DBYRME 00000038 76058914

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

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

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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 "SOUNDBITE CORPORATION", CHANGING ITS NAME FROM "SOUNDBITE CORPORATION" TO "SOUNDBITE COMMUNICATIONS, INC.", FILED IN THIS OFFICE ON THE NINTH DAY OF APRIL, A.D. 2001, AT 4 O'CLOCK P.M.

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



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

3212277 8100

AUTHENTICATION: 1072037

010173264

DATE: 04-10-01

TRADEMARK  
REEL: 002424 FRAME: 0982

**CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION  
OF  
SOUNDBITE CORPORATION**

SoundBite Corporation, a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "Corporation"), DOES HEREBY CERTIFY:

**FIRST:** That the Board of Directors of the Corporation, by a unanimous written consent of the directors dated February 23, 2001, in accordance with the provisions of the General Corporation Law of the State of Delaware, duly adopted resolutions setting forth a proposed amendment to the Amended and Restated Certificate of Incorporation of the Corporation and declaring its advisability. The resolution setting forth the proposed amendment is substantially as follows:

"RESOLVED: That, subject to the approval of the stockholders of the Corporation, the name of the Corporation should be changed to "SoundBite Communications, Inc." by deleting ARTICLE I of the Amended and Restated Certificate of Incorporation in its entirety and replacing it with the following:

**"ARTICLE I**

**NAME**

The name of the corporation (hereinafter called the "Corporation") is SoundBite Communications, Inc."

**SECOND:** That the stockholders of the Corporation holding the necessary number of shares of the outstanding capital stock of the Corporation as required by statute and the Amended and Restated Certificate of Incorporation of the Corporation approved said amendment by written consent effective February 23, 2001 in accordance with Section 228 of the General Corporation Law of the State of Delaware.

**THIRD:** That ARTICLE I of the Corporation's Amended and Restated Certificate of Incorporation is hereby amended and restated as follows:

**"ARTICLE I**

**NAME**

The name of the corporation (hereinafter called the "Corporation") is SoundBite Communications, Inc."

**FOURTH:** That the aforesaid amendment to the Amended and Restated Certificate of Incorporation of the Corporation was duly adopted in accordance with the applicable provisions of Sections 228 and 242 of the General Corporation Law of the State of Delaware.

[Remainder of Page Intentionally Left Blank]

04/05/2001 15:47 7812734755

SOUNDBITE CORP

PAGE 03/03

IN WITNESS WHEREOF, the Corporation has caused this certificate to be signed by its duly authorized officer as of this 4th day of April, 2001.

SOUNDBITE CORPORATION

By: John McDonough  
Name: John McDonough  
Title: Chief Executive Officer and President

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State of Delaware

PAGE 1

Office of the Secretary of State

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REEL: 002424 FRAME: 0985

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By: *John McDonough*  
Name: John McDonough  
Title: Chief Executive Officer and President

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