

01-17-2002

Resubmission  
MRD 1-17-02



101951448

U.S. PATENT AND TRADEMARK OFFICE  
COVER SHEET  
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Record copy  
10-15-2001

Submission Type

- New
- Resubmission (Non Recordation) 10/15/01
- Document ID#
- Correction of PTO Error
- Reel #  Frame #
- Corrective Document
- Reel #  Frame #

Conveyance Type

- Assignment
- License
- Security Agreement
- Nunc Pro Tunc Assignment
- Merger Effective Date  
Month Day Year
- Change of Name
- Other

Conveying Party

Mark if additional names of conveying parties attached

Name

Execution Date  
Month Day Year

Formerly

- Individual
- General Partnership
- Limited Partnership
- Corporation
- Association
- Other

Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKATA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)     
City State/County Zip Code

- Individual
- General Partnership
- Limited Partnership
- Corporation
- Association
- Other
- 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.)

Citizenship/State of Incorporation/Organization

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

**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="76/242,049"/>	<input type="text"/>	<input type="text" value="76/294,792"/>	<input type="text" value="2,398,710"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="76/294,584"/>	<input type="text"/>	<input type="text" value="76/207,011"/>	<input type="text" value="2,281,474"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="76/301,169"/>	<input type="text"/>	<input type="text" value="75/519,941"/>	<input type="text" value="2,318,150"/>	<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.)

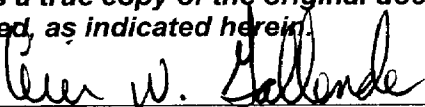
Deposit Account Number:

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 deposition account are authorized, as indicated herein.*

Eric W. Gallender



October 10, 2001

Name of Person Signing

Signature

Date Signed

**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)**

78/006,634	76/032,808				
75/678,264	76/066,191				
75/678,257	76/149,067				
75/678,263	76/226,021				
75/678,255	76/232,521				
75/742,231	76/287,390				
76/018,925	76/253,243				

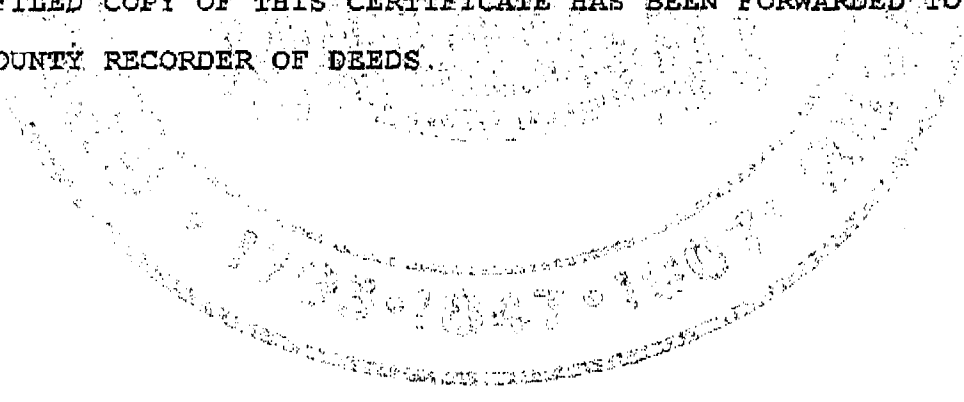
State of Delaware  
Office of the Secretary of State PAGE 1

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 OWNERSHIP, WHICH MERGES:

"OVERTURE SERVICES, INC.", A DELAWARE CORPORATION, WITH AND INTO "GOTO.COM, INC." UNDER THE NAME OF "OVERTURE SERVICES, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE FOURTH DAY OF OCTOBER, A.D. 2001, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE EIGHTH DAY OF OCTOBER, A.D. 2001, AT 8 O'CLOCK A.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

2796476 B100M

AUTHENTICATION: 1379189

010494774

DATE: 10-09-01

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 09:00 AM 10/04/2001  
010494774 - 2796476

**CERTIFICATE OF OWNERSHIP AND MERGER  
MERCING  
OVERTURE SERVICES, INC.  
INTO  
GOTO.COM, INC.**

Pursuant to Section 253 of the General Corporation Law of the State of Delaware, GoTo.com, Inc., a Delaware corporation (the "Corporation"), does hereby certify:

**FIRST:** That the Corporation is incorporated pursuant to the General Corporation Law of the State of Delaware.

**SECOND:** That the Corporation owns all of the outstanding shares of each class of the capital stock of Overture Services, Inc., a Delaware corporation ("Sub").

**THIRD:** That the Corporation, by the following resolutions of its Board of Directors, duly adopted at a meeting held on the 2<sup>nd</sup> of October, 2001, determined to merge Sub with and into the Corporation on the terms and conditions set forth therein:

**RESOLVED:** That the Corporation merge Sub with and into the Corporation, with the Corporation being the surviving entity in such merger (the "Merger").

**RESOLVED FURTHER:** That the Merger be effective at 8:00 a.m. Eastern Daylight Time on Monday, October 8, 2001.

**RESOLVED FURTHER:** That upon the effectiveness of the Merger, the Corporation assume all of the liabilities and obligations of Sub.

**RESOLVED FURTHER:** That upon the effectiveness of the Merger, the name of the Corporation be changed to "Overture Services, Inc." and Article I of the Amended and Restated Certificate of Incorporation of the Corporation be amended to read in its entirety as follows:

**"ARTICLE I**

The name of the Corporation is Overture Services, Inc."

**RESOLVED FURTHER:** That upon the effectiveness of the Merger, the Certificate of Incorporation and the Bylaws of the Corporation in effect immediately prior to the effectiveness of the Merger shall be the Corporation's Certificate of Incorporation and Bylaws, except as to the change of name.

**RESOLVED FURTHER:** That upon the effectiveness of the Merger, the directors and officers of the Corporation, as constituted immediately prior to

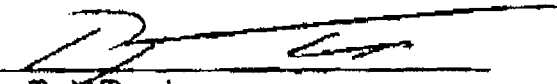
the effectiveness of the Merger, will be the directors and officers of the Corporation.

**RESOLVED FURTHER:** That the proper officers of the Corporation be, and each hereby is, authorized, empowered and directed, for and on behalf of the Corporation and in its name, to execute and deliver all such agreements, instruments, certificates and other documents, and to take all such further action, as such officers may deem necessary, advisable or appropriate in order to effectuate the intent and purposes of the foregoing resolutions.

**RESOLVED FURTHER:** That all acts and things heretofore taken or done by any officer or other agent of the Corporation on or prior to the date hereof in connection with the transactions contemplated by these resolutions be, and each hereby is, ratified, confirmed, approved and adopted in all respects as acts taken or done on behalf of the Board of Directors of the Corporation.

IN WITNESS WHEREOF, the Corporation has caused this certificate to be signed by Todd Tappin its authorized officer, this 2 day of October, 2001.

GOTO.COM, INC.

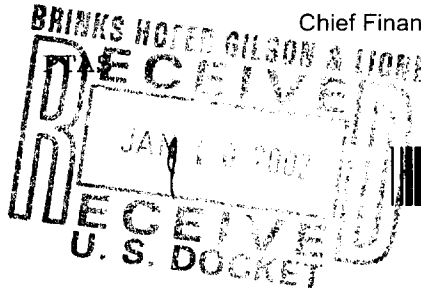
By: 

Name: Todd Tappin  
Title: Secretary and Chief Financial Officer

JANUARY 03, 2002

BRINKS HOFER GILSON & LIONE  
ERIC W. GALLENDER  
PO BOX 10395  
CHICAGO IL 60610

Chief Financial Officer and Chief Administrative Officer  
Washington, DC 20231  
www.uspto.gov



\*101886096A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 101886096

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

1. THE COVER SHEET SUBMITTED DID NOT PROVIDE COMPLETE INFORMATION REQUIRED FOR RECORDING. THE ATTACHED PAGES INCLUDING THIS NON RECORDATION NOTICE.

*The execution date omitted on coversheet.*

DIANE RUSSELE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS