

02-20-2002

FORM PTO-1594
(Rev. 6-93)



SHEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

101987742

To the Honorable Commissioner of Patents and Trademarks, send the attached original documents or copy thereof.

1. Name of conveying party(ies): 2.8.02
Symmetry Communications Systems, Inc.

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: _____ Tesaria, Inc.

Internal Address: _____

Street Address: _____ 399 West Trimble Road

City: San Jose State: California ZIP 95131

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
 (Designation must be a separate document from Assignment).
 Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: September 20, 2001

4. Application number(s) or registration number(s):
 A. Trademark Application No.(s)
76307482

Additional numbers attached? Yes X No

B. Trademark Registration No.(s)
- 8

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

Name: Cooley Godward LLP

Internal Address: Five Palo Alto Square

Street Address: 3000 El Camino Real

City: Palo Alto State: CA ZIP 94306-2155

6. Total number of applications and registration involved: 1

7. Total fee (37 CFR 3.41):.....
 \$ 40.00

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.

Susan D. Berney-Key 1/14/02
 Susan D. Berney-Key Date

Total number of pages including cover sheet, attachments, and document: 3

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

02/19/2002 TBIAZ1 00000088 76307482
01 FC:481 40.00 DP

**CERTIFICATE OF AMENDMENT OF
AMENDED AND RESTATED CERTIFICATE OF INCORPORATION OF
SYMMETRY COMMUNICATIONS SYSTEMS, INC.**

SYMMETRY COMMUNICATIONS SYSTEMS, INC., 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: The name of the Corporation is SYMMETRY COMMUNICATIONS SYSTEMS, INC.

SECOND: The date on which the Certificate of Incorporation of the Corporation was originally filed with the Secretary of State of the State of Delaware is February 21, 1997.

THIRD: The Board of Directors of the Corporation, acting in accordance with the provisions of Sections 141 and 242 of the General Corporation Law of the State of Delaware, adopted resolutions amending its Amended and Restated Certificate of Incorporation as follows:

Article I shall be amended and restated to read in its entirety as follows:

"The name of this Corporation is Tesaria, Inc. (the "Corporation")."

FOURTH: Thereafter pursuant to a resolution of the Board of Directors, this Certificate of Amendment was submitted to the stockholders of the Corporation for their approval, and was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, SYMMETRY COMMUNICATIONS SYSTEMS, INC. has caused this Certificate of Amendment to be signed by its Chief Executive Officer and attested to by its Assistant Secretary this 20th day of ~~September~~ 2001.

SYMMETRY COMMUNICATIONS SYSTEMS, INC.

By: Ed Snyder

Ed Snyder, Chief Executive Officer

ATTEST:

By: Frank Rahmani

Frank Rahmani, Assistant Secretary

113894 v1/HN
3XW6011.DOC

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:00 AM 09/21/2001
010467676 - 2719374

TRADEMARK
REEL: 002445 FRAME: 0885

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 "SYMMETRY COMMUNICATIONS SYSTEMS, INC.", CHANGING ITS NAME FROM "SYMMETRY COMMUNICATIONS SYSTEMS, INC." TO "TESARIA, INC.", FILED IN THIS OFFICE ON THE TWENTY-FIRST DAY OF SEPTEMBER, A.D. 2001, AT 9 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

AUTHENTICATION: 1354517

DATE: 09-24-01

2719374 8100

010467676

TRADEMARK
REEL: 002445 FRAME: 0886

TESARIA

TRADEMARKSCAN@--U.S. Federal

Serial Number: 76307482

Status: PENDING
INTENT TO USE

USPTO Status: (641) NON-FINAL ACTION - MAILED
USPTO Status Date: November 16, 2001

Filed: August 29, 2001

Goods/Services: COMPUTER HARDWARE; COMPUTER SOFTWARE FOR THE TRANSMISSION AND MANIPULATION OF DATA, SOUND, IMAGES AND VIDEO OVER WIRELESS NETWORKS, LOCAL AREA NETWORKS, WIDE AREA NETWORKS AND GLOBAL COMPUTER NETWORKS

International Class(es)
9 (Electrical and Scientific Apparatus)

Applicant:
SYMMETRY COMMUNICATIONS SYSTEMS, INC.
CALIFORNIA CORPORATION
399 WEST TRIMBLE ROAD
SAN JOSE , CALIFORNIA 95131

Filing Attorney: JANET L. CULLUM, ESQ.
Reference Number: Symmetry Com

Filing Correspondent:
JANET L. CULLUM, ESQ.
COOLEY GODWARD
PALO ALTO
3000 EL CAMINO REAL BLDG 5
PALO ALTO CA 94306-2197

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