

04-30-2002

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



4.1802

102072772

its and Trademarks: Please record the attached original documents or copy thereof.

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

2. Name and address of receiving parties:
Name: Digital Island, Inc.
Address:
Street Address: 45 Fremont Street, 12th Floor
City: San Francisco State: California Zip: 94105
Country: USA

- Individual(s)
 - General Partnership
 - Corporation - State of California
 - Other
- Additional name(s) of conveying parties attached? Yes No

FINANCE SECTION
 Association
 Limited Partnership

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

- Individual(s) Citizenship
 - Association
 - General Partnership
 - Limited Partnership
 - Corporation - State of Delaware
 - Other -
- If Assignee is not domiciled in the United States, a domestic representative designation is attached yes no

Execution Date: January 8, 2001

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

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

A. Trademark Application No(s):
75/550878

B. Trademark Registration No(s)

Additional numbers attached? Yes No

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

6. Total number of applications and registrations involved in this request for correction: [1]

Name: RIORDAN & McKENZIE
Internal Address:
Street Address: 300 South Grand Avenue
29th Floor,
City: Los Angeles State: CA Zip: 90071

7. Total fee (37 CFR 3.41) \$ 40.00
 Enclosed Check No. 102544
Any additional fees which may be required are
 Authorized to be charged to deposit account
No. 50-1367

8. Deposit account number:

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

04/30/2002 TDIAZ1 00000014 75550878
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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.

Diane M. Lambillotte, Esq.
Name of Person Signing

Diane M. Lambillotte
Signature

April 10, 2002
Date

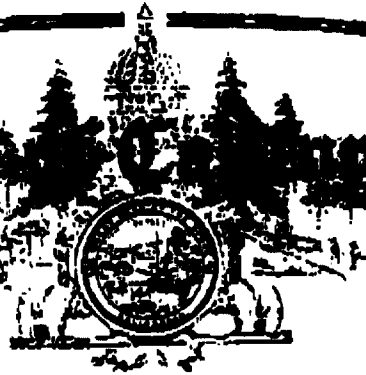
Total number of pages including cover sheet, attachments, and documents: [9 including check]
Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

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State of California



SECRETARY OF STATE

I, **BILL JONES**, Secretary of State of the State of California, hereby certify:

That the attached transcript of 3 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

MAY - 2 2001



Bill Jones

Secretary of State

State of Delaware
Office of the Secretary of State

ENDORSED - FILED
in the office of the Secretary of State
of the State of Delaware
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APR 24 2001

BILL JONES, Secretary of State

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:

"LIVE ON LINE, INC.", A NEW YORK CORPORATION,
"SANDPIPER NETWORKS, INC.", A CALIFORNIA CORPORATION,
"SOFTWARE, INC.", A CALIFORNIA CORPORATION,

WITH AND INTO "DIGITAL ISLAND, INC." UNDER THE NAME OF "DIGITAL ISLAND, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE SECOND DAY OF FEBRUARY, A.D. 2001, AT 9 O'CLOCK A.M.

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



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 0954864

DATE: 02-05-01

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TRADEMARK
REEL: 002494 FRAME: 0852

STATE OF DELAWARE
 SECRETARY OF STATE
 DIVISION OF CORPORATIONS
 FILED 09:00 AM 02/02/2001
 010657046 - 3016554

**CERTIFICATE OF OWNERSHIP AND MERGER
 MERGING
 SANDPIPER NETWORKS, INC., SOFTWARE, INC. AND
 LIVE ON LINE, INC.
 WITH AND INTO
 DIGITAL ISLAND, INC.**

Pursuant to Section 253 of the
 General Corporation Law of the State of Delaware

Digital Island, Inc., a Delaware corporation (the "Company"), does hereby certify to the following facts relating to the merger of Sandpiper Networks, Inc. and SoftAware, Inc., both California corporations and wholly-owned subsidiaries of the Company, and Live On Line, Inc., a New York corporation and wholly-owned subsidiary of the Company (collectively, the "Subsidiaries"), with and into the Company (the "Mergers"):

FIRST: The name and state of incorporation of each of the constituent corporations in the merger are as follows:

<u>Name</u>	<u>State of Incorporation</u>
Sandpiper Networks, Inc.	California
SoftAware, Inc.	California
Live On Line, Inc.	New York
Digital Island, Inc.	Delaware

SECOND: The Company owns all of the outstanding shares of each class of capital stock of the Subsidiaries. All such shares shall be cancelled without consideration.

THIRD: As of the effective time of the Merger, the Certificate of Incorporation of the Company as in effect immediately prior to the effective time of the Mergers shall be the Certificate of Incorporation of the surviving corporation of the Mergers.

FOURTH: The Board of Directors of the Company, by the following resolutions duly adopted on December 28, 2000, have determined to merge the Subsidiaries with and into the Company pursuant to Section 253 of the DGCL:

WHEREAS, Digital Island, Inc., a Delaware corporation (the "Company"), owns all of the outstanding shares of each class of capital stock of Sandpiper Networks, Inc. and SoftAware, Inc., both California corporations and wholly-owned subsidiaries of the Company, and Live On Line, Inc., a

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New York corporation and wholly-owned subsidiary of the Company (the "Subsidiaries"); and

WHEREAS, the Board of Directors of the Company has deemed it advisable that the Subsidiaries be merged with and into the Company pursuant to Section 253 of the General Corporation Law of the State of Delaware;

NOW, THEREFORE, BE IT AND IT HEREBY IS

RESOLVED, that the Subsidiaries be merged with and into the Company with the Company remaining as the surviving corporation (the "Merger"); and it is further

RESOLVED, that the proper officers of the Company be and they hereby are authorized and directed to make, execute and acknowledge, in the name and under the corporate seal of the Subsidiary, a certificate of ownership and merger for the purpose of effecting the Merger and to file the same in the office of the Secretary of State of the State of Delaware, and to do all other acts and things that may be necessary to carry out and effectuate the purpose and intent of the resolutions relating to the Merger.

IN WITNESS WHEREOF, the Company has caused this Certificate of Ownership and Merger to be executed by its duly authorized officer this 8th day of January, 2001.

By: /s/ Ruann F. Ernst
Name: Ruann F. Ernst
Title: Chief Executive Officer



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