

05-29-2002

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



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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): 52402 Finestra Software, Inc. [] Individual(s) [] Association [] General Partnership [] Limited Partnership [X] Corporation-State Delaware [] Other Additional name(s) of conveying party(ies) attached? [] Yes [X] No

2. Name and address of receiving party(ies) Name: Invio Software, Inc. Internal Address: Street Address: 2121 Stanton Court City: Palo Alto State: CA Zip: 94306 [] Individual(s) citizenship [] Association [] General Partnership [] Limited Partnership [X] 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

3. Nature of conveyance: [] Assignment [] Merger [] Security Agreement [X] Change of Name [] Other Execution Date: January 4, 2001

4. Application number(s) or registration number(s): A. Trademark Application No.(s) 76/334,959 (INVIO) B. Trademark Registration No.(s) Additional number(s) attached [] Yes [X] No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: John W. Calkins, Esq. Internal Address: McCUTCHEN, DOYLE, BROWN & ENERSEN LLP Street Address: Three Embarcadero Center Suite 1800 San Francisco City: State: CA Zip: 94111

6. Total number of applications and registrations involved: 1 7. Total fee (37 CFR 3.41) \$ 40.00 [X] Enclosed [] Authorized to be charged to deposit account 8. Deposit account number: 50-1193 (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. Tina Salem Name of Person Signing Signature Date 05/07/02

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

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

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**CERTIFICATE OF AMENDMENT
OF
AMENDED AND RESTATED CERTIFICATE OF INCORPORATION
OF
FINESTRA SOFTWARE, INC.**

Finestra Software, Inc., a corporation organized and existing under the laws of the State of Delaware (the "*Corporation*"), hereby certifies as follows:

1. The amendment to the Corporation's Amended and Restated Certificate of Incorporation set forth below was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware and has been consented to in writing by the required number of shares of the Company's outstanding capital stock, and written notice has been given in accordance with Section 228 of the General Corporation Law of the State of Delaware.

2. Articles "First" of the Corporation's Certificate of Incorporation is amended to read in its entirety as follows:

"FIRST: The name of the corporation is Invio Software, Inc."

IN WITNESS WHEREOF, said Corporation has caused this Certificate of Amendment to be signed by its President and attested to by its Secretary on January 4, 2001.

/s/ Sarangan Rangachari
Sarangan Rangachari, President

ATTEST:

/s/ Paul J. Zuhorski
Paul J. Zuhorski, Secretary

A0575815

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

JAN 18 2002

BILL JONES, Secretary of State

AMENDED STATEMENT AND DESIGNATION

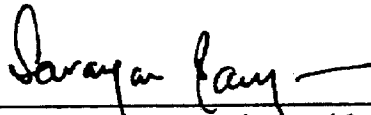
BY

FOREIGN CORPORATION

Invio Software, Inc., a corporation organized and existing under the laws of the State of Delaware and which is presently qualified for the transaction of intrastate business in the State of California, makes the following statement and designation:

That the name of the corporation has been changed to that hereinabove set forth and that the name relinquished at the time of such change was "Finestra Software, Inc."

Invio Software, Inc.



Sarangan Rangachari, President

