

07-05-2002

Substitute Form PTO-1594
Attorney Docket No.: 01568-012001



**COVER SHEET
ONLY**

Resub

102144540

Commissioner for Trademarks.

... is attached copies of an original document.

1. Name of conveying party:
Etalon, Inc.

Individual(s)
 Association
 General Partnership
 Limited Partnership
 Corporation—State
 Other _____

Additional name(s) attached? Yes No

6-27-02

2. Name and address of receiving party:
Iridigm Display Corporation
2415 Third Street, Suite 235
San Francisco, CA 94107

Individual(s) Citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation—State Delaware
 Other _____

If the assignee is not domiciled in the United States, a domestic representative designation is attached. Yes No

Additional names/addresses attached? Yes No

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

Execution Date: October 31, 2000

4. Application number(s) or trademark number(s):
 A. Trademark Application No(s):
76/046,676

Additional numbers attached? Yes No

B: Trademark No(s):

5. Name/address of party to whom correspondence concerning document should be mailed:
 MICHELLE A. MASSICOTTE, ESQ.
 Fish & Richardson P.C.
 225 Franklin Street
 Boston, Massachusetts 02110-2804

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR §3.41): \$40
 Previously filed, see attached.
 Authorized to charge Deposit Account.

8. Deposit Account No.: 06-1050
 Please apply any additionally charges, or any credits, to our Deposit Account No. 06-1050.

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 the attached is a true copy of the original document.*

Michelle A. Massicotte, Esq.
Name of Person Signing

[Handwritten Signature]
Signature

6/27/02
Date

Total number of pages including cover sheet, attachments, and document: 11

20460897

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL 947006969 US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner of Patents and Trademarks, BOX ASSIGNMENTS, Washington, D.C. 20231

June 27, 2002
Date of Deposit

[Handwritten Signature]
Signature

Name of Person Signing Certificate

**TRADEMARK
REEL: 002538 FRAME: 0186**

03-29-2002



102086924

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):

Etalon, Inc.

3-18-02

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

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

2. Name and address of receiving party(ies)

Name: Iridigm Display Corporation

Internal

Address: 2415 Third Street, Suite 235

Street Address: Same as Above

City: San Francisco State: CA Zip: 94107

- 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 (Designations 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: Oct 31, 2000

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

Attached hereto in Appendix A:

Additional number(s) attached Yes No

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

Name: Michelle A. Massicotte

Internal Address: Fish & Richardson P.C.

Street Address: 225 Franklin Street

City: Boston State: MA Zip: 02110

6. Total number of applications and registrations involved:

1

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

- Enclosed Authorized to be charged to deposit account

8. Deposit account number: 06-1050, Reference 01568

(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.

Michelle A. Massicotte

Name of Person Signing

[Signature]

Signature

3/6/02

Date

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

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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OFFICE OF PUBLIC RECORDS 2002 MAR 18 AM 8:02 FINANCE SECTION

APPENDIX A

Mark

Application Serial No.

DIGITAL PAPER

76/046676

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:00 AM 10/31/2000
001550173 - 2930958

CERTIFICATE OF MERGER

OF

ETALON, INC.,
a Massachusetts corporation

INTO

IRIDIGM DISPLAY CORPORATION,
a Delaware corporation

Under Section 252(c) of the Delaware General Corporation Law, Iridigm Display Corporation, a Delaware corporation, hereby certifies that:

FIRST: The name and state of incorporation of each of the constituent corporations to the merger are (1) Etalon, Inc., a Massachusetts corporation, and (2) Iridigm Display Corporation, a Delaware corporation.

SECOND: An agreement and plan of merger (the "Agreement and Plan of Merger") providing for the merger of Etalon, Inc., a Massachusetts corporation (the "Disappearing Corporation"), into Iridigm Display Corporation, a Delaware corporation (the "Surviving Corporation"), has been duly approved, adopted, certified, executed and acknowledged in accordance with Section 252(c) of the Delaware General Corporation Law.

THIRD: The full name of the Surviving Corporation is Iridigm Display Corporation.

FOURTH: The certificate of incorporation of Iridigm Display Corporation, a Delaware corporation, shall be the certificate of incorporation of the Surviving Corporation.

FIFTH: The Agreement and Plan of Merger as executed is on file at the principal place of business of the Surviving Corporation at:

2565 Third Street, Suite 205
San Francisco, CA 94107

SIXTH: A copy of the Agreement and Plan of Merger will be furnished by the Surviving Corporation, on request and without cost, to any stockholder of any constituent corporation.

SEVENTH: The aggregate number of shares of stock which the Disappearing Corporation has the authority to issue is 100 shares, all of which shares have no par value and are designated common stock.

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11/01 00:14:14 NO. 229 03/04

CSC

(For a consolidation)

~~(b) State the total number of shares and the par value, if any, of each class of stock which the resulting corporation is authorized to issue:~~

WITHOUT PAR VALUE		WITH PAR VALUE		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
Common:		Common:		
Preferred:		Preferred:		

~~** (c) If more than one class of stock is authorized, state a distinguishing designation for each class and provide a description of the preferences, voting powers, qualifications, and special or relative rights or privileges of each class and of each series then established.~~

~~** (d) The restrictions, if any, on the transfer of stock contained in the agreement of consolidation are:~~

~~** (e) Other lawful provisions, if any, for the conduct and regulation of the business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining, or regulating the powers of the corporation, or of its directors or stockholders, or of any class of stockholders.~~

Item 4 below may be deleted if the resulting /surviving corporation is organized under the laws of a state other than Massachusetts.

~~4. The information contained in Item 4 is not a permanent part of the Articles of Organization of the *resulting / *surviving corporation.~~

~~(a) The street address of the *resulting / *surviving corporation in Massachusetts is (post office boxes are not acceptable).~~

**If there are no provisions state "None".

~~(b) The name, residential address and post office address of each director and officer of the *resulting / *surviving corporation is:~~

~~NAME RESIDENTIAL ADDRESS POST OFFICE ADDRESS~~

President:
Treasurer:
Clerk:
Directors:

(c) The fiscal year end (i.e. tax year) of the *resulting / *surviving corporation shall end on the last day of the month of:

~~(d) The name and business address of the resident agent, if any, of the *resulting / *surviving corporation is:~~

Item 5 below may be deleted if the resulting/surviving corporation is organized under the laws of Massachusetts.

5. The ~~*XXXXXX~~ / *surviving corporation hereby agrees that it may be sued in the Commonwealth of Massachusetts for any prior obligation of any constituent Massachusetts corporation, any prior obligation of any constituent foreign corporation qualified under General Laws, Chapter 181, and any obligations hereafter incurred by the ~~*XXXXXX~~ / *surviving corporation, including the obligation created by General Laws, Chapter 156B, Section 85, so long as any liability remains outstanding against the corporation in the Commonwealth of Massachusetts, and it hereby irrevocably appoints the Secretary of the Commonwealth as its agent to accept service of process in any action for the enforcement of any such obligation, including taxes, in the same manner as provided in Chapter 181.

FOR MASSACHUSETTS CORPORATIONS

The undersigned *President / ~~*XXXXXXXXXX~~ and *Clerk / ~~*XXXXXXXXXX~~ of ETALON, INC., a corporation organized under the laws of Massachusetts, further state under the penalties of perjury that the agreement of *consolidation / *merger has been duly executed on behalf of such corporation and duly approved in the manner required by General Laws, Chapter 156B / Section 78.

ERIK J. LARSON, *President / ~~*XXXXXXXXXX~~

EDMUND S. RUFFIN, JR., *Clerk / ~~*XXXXXXXXXX~~

FOR CORPORATIONS ORGANIZED IN A STATE OTHER THAN MASSACHUSETTS

The undersigned, † PRESIDENT and †† SECRETARY

of TRIDIGM DISPLAY CORPORATION, a corporation organized under the laws of

DELAWARE, further state under the penalties of perjury that the agreement of ~~*XXXXXXXXXX~~ /

*merger has been duly adopted by such corporation in the manner required by the laws of DELAWARE.

*Delete the inapplicable words.
†Specify the officer having powers and duties corresponding to those of the president or vice president of a Massachusetts corporation organized under General Laws, Chapter 156B.
††Specify the officer having powers and duties corresponding to the clerk or assistant clerk of such a Massachusetts corporation.

† ERIK J. LARSON
†† EDMUND S. RUFFIN, JR.

THE COMMONWEALTH OF MASSACHUSETTS

ARTICLES OF *CONSOLIDATION / *MERGER
(General Laws, Chapter 156B, Section 79)

I hereby approve the within Articles of *Consolidation / *Merger and, the filing fee in the amount of \$ _____, having been paid, said articles are deemed to have been filed with me this _____ day of _____, 20 _____.

Effective date _____

WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth

TO BE FILLED IN BY CORPORATION
Photocopy of document to be sent to:

CASE LAWRENCE

Venture Law Group

2800 Sand Hill Road

Menlo Park, CA 94025

Telephone: (650) 854-4488

State of Delaware
Office of the Secretary of State

PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"ETALON, INC. A MASSACHUSETTS CORPORATION,
WITH AND INTO "IRIDIUM DISPLAY CORPORATION" UNDER THE NAME OF "IRIDIUM DISPLAY CORPORATION", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTY-FIRST DAY OF OCTOBER, A.D. 2000, AT 9 O'CLOCK A.M.

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



Edward J. Freel
Edward J. Freel, Secretary of State

2930958 8100M

AUTHENTICATION: 0768298

001550173

DATE: 11-01-00

11/01 00 14:14 NO.622 02/04

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RECORDED: 06/27/2002

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