

07-17-2002



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

# 102158628 TRADEMARKS ONLY

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): 7.15.02  
 Web Communications LLC

Individual(s)       Association  
 General Partnership       Limited Partnership  
 Corporation-State  
 Other Limited Liability Company - Calif.

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

2. Name and address of receiving party(ies)  
 Name: Veno Inc.  
 Internal  
 Address: \_\_\_\_\_  
 Street Address: 8005 S. Chester St., Suite 200  
 City: Englewood State: CO Zip: 80112

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: 12/06/01

4. Application number(s) or registration number(s):  
 A. Trademark Application No.(s) \_\_\_\_\_  
 \_\_\_\_\_  
 Additional number(s) attached  Yes  No

B. Trademark Registration No.(s) \_\_\_\_\_  
2078720  
 \_\_\_\_\_

5. Name and address of party to whom correspondence concerning document should be mailed:  
 Name: Peter F. Weinberg  
 Internal Address: \_\_\_\_\_  
07/16/2002 TRIAZI 00000031 2078720  
40.00 OP  
 Street Address: Gibson, Dunn & Crutcher LLP  
1801 California Street, Suite 4100  
 City: Denver State: CO Zip: \_\_\_\_\_

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:  
50-0792

DO NOT USE THIS SPACE

9. 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.

Peter F Weinberg      Peter F Weinberg      July 8, 2002  
 Name of Person Signing      Signature      Date

Total number of pages including cover sheet, attachments, and document: 6

Mail documents to be recorded with required cover sheet information to:  
 Commissioner of Patent & Trademarks, Box Assignments  
 Washington, D.C. 20231  
 Certificate of Mailing (37 C.F.R. 1.8)

I hereby certify that this document and any attachments thereto are being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents and Trademarks, Washington, DC 20231.

Dated: July 8, 2002 By: Jean A. Burns Signature: Jean A. Burns

**TRADEMARK**  
**REEL: 002544 FRAME: 0565**

State of Delaware  
Office of the Secretary of State

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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 MERGER, WHICH MERGES:

"WEB COMMUNICATIONS LLC", A CALIFORNIA LIMITED LIABILITY COMPANY,

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

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE FIRST DAY OF JANUARY, A.D. 2002, AT 12:01 O'CLOCK A.M.

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



2597297 8100M

010628184

*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 1494469

DATE: 12-11-01

TRADEMARK  
REEL: 002544 FRAME: 0566

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 09:00 AM 12/07/2001  
010626184 - 2597297

STATE OF DELAWARE  
CERTIFICATE OF MERGER OF  
DOMESTIC CORPORATION AND  
FOREIGN LIMITED LIABILITY COMPANY

Pursuant to Title 8, Section 264(c) of the General Corporation Law of the State of Delaware, the undersigned corporation executed the following Certificate of Merger:

FIRST: The name of the surviving corporation is Verio Inc., a Delaware corporation and the name of the limited liability company being merged into this surviving corporation is Web Communications LLC, a California limited liability company.

SECOND: The Agreement of Merger between the parties to the merger has been approved, adopted, certified, executed and acknowledged by the surviving corporation and the merging limited liability company.

THIRD: The name of the surviving corporation of the merger is Verio Inc.

FOURTH: The merger is to become effective as of 12:01 a.m. on January 1, 2002.

FIFTH: The Agreement of Merger is on file at the principal place of business of the surviving corporation. The address of the principal place of business of the surviving corporation is: 8005 South Chester Street, Suite 200, Englewood, Colorado 80112.

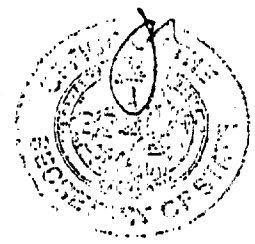
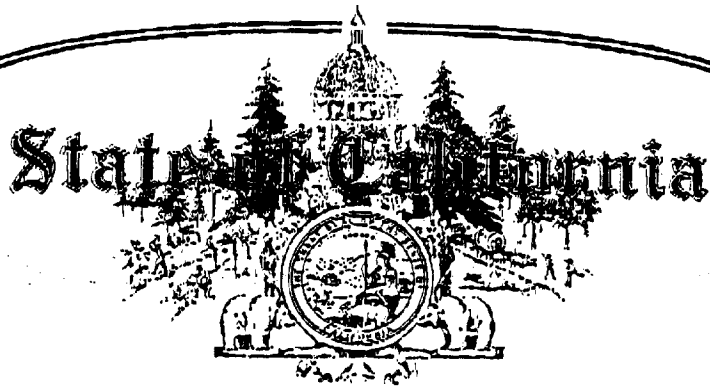
SIXTH: A copy of the Agreement of Merger will be furnished by the surviving corporation, on request and without cost, to any stockholder of any constituent corporation or member of any constituent limited liability company.

SEVENTH: The certificate of incorporation of Verio Inc., the surviving corporation, shall be its certificate of incorporation.

IN WITNESS WHEREOF, the undersigned officer has executed this Certificate of Merger this 6th day of December, 2001.

VERIO INC.

By: SKW. Sackman  
Steven W. Sackman  
Assistant Secretary



**SECRETARY OF STATE**

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

That the attached transcript of 2 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

DEC 10 2001

Secretary of State





State of California  
Bill Jones  
Secretary of State

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

DEC 06 2001

BILL JONES, Secretary of State

LIMITED LIABILITY COMPANY  
CERTIFICATE OF MERGER

(Corporations Code Section 17552)

Filing Fee - Please see instructions.

IMPORTANT - Read instructions before completing this form.

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1. Name of surviving entity: Verio Inc.	2. Type of entity: Corporation	3. Secretary of State File Number: C2169576	4. Jurisdiction: Delaware
5. Name of disappearing entity: Web Communications LLC	6. Type of entity: LLC	7. Secretary of State File Number: 199522710023	8. Jurisdiction: California
9. Future effective date, if any:      January      Month      1,      Day      2002      Year			
10. If a vote was required pursuant to Section 17551 or Section 1113, enter the outstanding interests of each class entitled to vote on the merger and the percentage of vote required: <u>Surviving Entity</u>		<u>Disappearing Entity</u>	
<u>Each class entitled to vote</u>	<u>Percentage of vote required</u>	<u>Each class entitled to vote</u>	<u>Percentage of vote required</u>
common	100%	membership interest	100%
11. The principal terms of the agreement of merger were approved by a vote of the number of interests or shares of each class that equaled or exceeded the vote required.			
SECTION 12 IS ONLY APPLICABLE IF THE SURVIVING ENTITY IS A DOMESTIC LIMITED LIABILITY COMPANY, COMPLETE ITEM 12 AND PROCEED TO ITEM 15.			
12. Requisite changes to the information set forth in the Articles of Organization of the surviving limited liability company resulting from the merger. Attach additional pages if necessary.			
SECTIONS 13 AND 14 ARE APPLICABLE IF THE SURVIVING ENTITY IS A FOREIGN LIMITED LIABILITY COMPANY OR OTHER BUSINESS ENTITY. COMPLETE ITEMS 13 AND 14.			
13. Principal business address of the surviving foreign limited liability company or other business entity: Address: ATTN.: Steven W. Sackman, c/o VERIO INC., 8005 South Chester Street, Suite 200 City: Englewood      State: Colorado      Zip Code: 80112			
14. Other information required to be stated in the Certificate of Merger by the laws under which each constituent other business entity is organized. Attach additional pages if necessary. None.			
15. Number of pages attached, if any:      1			
16. I certify that the statements contained in this document are true and correct of my own knowledge. I declare that I am the person who is executing this instrument, which execution is my act and deed.			
 Signature of Authorized Person for the Surviving Entity		11-13-2001 Date	
Carla Hamre Donelson, Vice President, General Counsel & Sec.		Type or Print Name and Title of Person Signing	
 Signature of Authorized Person for the Surviving Entity		11-13-2001 Date	
Steven W. Sackman, Assistant Secretary		Type or Print Name and Title of Person Signing	
 Signature of Authorized Person for the Disappearing Entity		11-15-2001 Date	
J. Kent Millington, Manager		Type or Print Name and Title of Person Signing	
 Signature of Authorized Person for the Disappearing Entity		Date	
Type or Print Name and Title of Person Signing		Date	

**Agreement of Verio Inc.**

**In Connection with the Merger of Web Communications LLC**

**with and into**

**Verio Inc.**

In connection with the merger of Web Communications LLC, a California limited liability company with and into Verio Inc., a Delaware corporation ("Verio"), Verio, as the surviving entity, hereby agrees as follows:

Verio may be served in the State of California in a proceeding for the enforcement of an obligation of any constituent entity and in a proceeding to enforce the rights of any holder of a dissenting interest or dissenting shares in a constituent domestic limited liability company.

Verio irrevocably designates and appoints the Secretary of State of the State of California as its agent for service of process. The post office address to which the said Secretary of State shall mail a copy of any process against the surviving entity served upon him is:

Verio Inc.  
Attention: Julie K. Adams  
8005 South Chester Street  
Suite 200  
Englewood, Colorado 80112

Verio will promptly pay the holder of any dissenting interest or dissenting share in a constituent domestic limited liability company the amount to which that person is entitled under California law.

