

09-25-2002

RE



IT

102232667

To the Honorable Commissioner of Patent

Please return the attached original documents or copy thereof.

1. Name of conveying party(ies): 9-23-02  
**Kudelski S.A. Fabrique d-enregistreurs Nagra**

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

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

2. Name and address of receiving party(ies):  
 Name: **Kudelski S.A.**  
 Route de Geneve 22  
 1033 Cheseaux-sur-Lausanne  
 SWITZERLAND

Internal Address: \_\_\_\_\_

3. Nature of Conveyance:

Assignment                       Merger  
 Security Agreement               Change of Name  
 Other \_\_\_\_\_

Execution Date: November 1, 2001

Individual(s) citizenship  
 Association  
 General Partnership  
 Limited Partnership  
 Corporation-Swiss  
 Other

If assignee is not domiciled in the United States, a domestic representative description is attached:  Yes  No (see Combined Declaration of Use and Incontestability)

(Designation must be a separate document from Assignment)

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

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

A. Trademark Application No.(s)

B. Trademark No(s). 1,973,814 issued on May 14, 1996

Additional numbers attached?  Yes  No

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

Customer No. 020210  
**Davis & Bujold, P.L.L.C.**  
**Fourth Floor**  
**500 North Commercial Street**  
**Manchester NH 03101-1151**  
**Telephone 603-624-9220**  
**Facsimile 603-624-9229**  
**E-mail: [patent@davisandbujold.com](mailto:patent@davisandbujold.com)**

6. Total number of trademark applications and registrations involved: 1

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

is enclosed.  
 was previously paid.  
 Please charge any fee deficiency or credit any overpayment to our Deposit Account listed below.

8. Deposit account number:  
04-0213  
 (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.*

Michael J. Bujold                                            September 16, 2002  
 Name of Attorney of Record                      Signature                      Date

Attorney Registration No. 32,018

Total number of pages including cover sheet, attachments and document: [ 24 ]

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Kudelski S.A. Fabrique d-enregistreurs Nagra

6.5.02

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

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

2. Name and address of receiving party(ies):

Name: Kudelski S.A.

Internal Address: \_\_\_\_\_  
\_\_\_\_\_

3. Nature of Conveyance:

- Assignment
- Security Agreement
- Other \_\_\_\_\_
- Merger
- Change of Name

Execution Date: November 1, 2001

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-Swiss
- Other

If assignee is not domiciled in the United States, a domestic representative description is attached:  Yes  No (see Combined Declaration of Use and Incontestability)

(Designation must be a separate document from Assignment)

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Telephone 603-624-9220  
Facsimile 603-624-9229  
E-mail: [patent@davisandbujold.com](mailto:patent@davisandbujold.com)

LEMPERTEHUS

6. Total number of trademark applications and registrations involved: 1

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

- is enclosed.
- was previously paid.
- Please charge any fee deficiency or credit any overpayment to our Deposit Account listed below.

8. Deposit account number:

04-0213

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

05/07/2002 DBYRNE 00000201 1973814

DO NOT USE THIS SPACE

01 FC:481 40.00 OP

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.

Michael J. Bujold

Name of Attorney of Record

Michael Bujold  
Signature

May 14, 2002

Date

Attorney Registration No. 32,018

Total number of pages including cover sheet, attachments and document: [ 28 ]

**Kudelski S.A.**

Stock Corporation Registered December 26, 1968

Ref.	Firm Name			
1	Kudelski S.A.			
	Place of Business			
1	Cheseaux-sur-Lausanne			
	Address			
1	Route de Genève 22			
	Dates of Articles of Incorporation			
1	12/24/68	11/4/00 (last change)	6	5/18/01
2	5/19/00	8/17/00	7	7/13/01
5	3/28/01			
	Purpose, Comments			
1	<u>Purpose:</u> To hold and manage interests for active enterprises, particularly in the domain of communication systems, security, and electronics in general.			
	Publication			
1	Official Swiss Commerce Bulletin			

**Capital Stock**

Ref.	Nominal	Paid In	Shares
1	CHF 41'498'100	CHF 41'598'100	375'000 nominal shares 10 CHF10 with voting privileges and transfer restrictions, and 378'481 shares to the shareholder at CHF 199
2	CHF 499'177'200	CHF 499'177'200	

5	CHF 500'324'100	CHF 500'324'100	<del>4'500'000 nominal shares at CHF 10 with voting privilege and transfer restrictions, and 4'541'772 shares to the shareholder at CHF 100</del>
6	CHF 500'324'100	CHF 500'324'100	<del>45'000'000 nominal shares at CHF 1 with voting privilege and transfer restrictions, and 45'532'410 shares to the shareholder at CHF 100</del>
7	CHF 512'940'680	CHF 512'940'680	46'300'000 nominal shares at CHF 1 with voting privileges and transfer restrictions, and 46'664'068 shares to the shareholder at CHF 10

**Contributions In-Kind, Buyouts, Specific Benefits**

5	Buyout planned: stock merger of Live Wire Communications, Inc. of Gainesville (USA) for a maximum of CHF 15'000'000
7	Buyout planned: stock merger of SkiData AG of Garteneau (Austria) for a maximum of CHF 250'000'000

(page 2 of abstract)

**Ref. Administrators, Audit Agents, Persons with Signatory Authority**

Reg-intra-t	Mod	Rad.	First and Last Name, Location, Residence	Functions	Type of Signature
1			Kudelski, Andrea, Prilly, Lutry	Admin. President and Representative	individual signature
1			Bucher, Norbert, Lucerne, Pully	Admin.	collective signature (2)*
1			Dassault, Laurent, France, Paris (F)	Admin.	collective signature (2)

1			Foetisch, Patric, Cottens (VD), Lausanne	Admin.	collective signature (2)
1			Kudelski, Stephan, Prilly, Monaco (MC)	Admin.	collective signature (2)
1			Limat, Gerard, Geneva, Meinier	Admin.	collective signature (2)
1			Smadja, Claude, Lausanne, Prangins	Admin.	collective signature (2)
1			Pricewaterhouse Coopers SA. Pully	Auditor	
1			Egli, Charles, Hinwil, Grandvaux	Director	collective signature (2)
1			Goetschmann, Nicholas, Locle, La Tour-de-Peilz		
1			Markey, John, USA, San Diego (USA)	Director	collective signature (2)
1			Duvoisin, Jean-Jacques, Orges, Lausanne	Deputy Director	collective signature (2)
1			Stransky-Heilkron, Philippe, Deneva, Marchissa	Deputy-Director	collective signature (2)
1			Varonier, Michele, Geneva, Aubonne	Deputy-Director	collective signature (2)
3			Corboud Fumagalli Adrienne, Surpierre, Villars-sur-Glâne		collective signature (2)

4			Werner, Claude, Neuchâtel, Cuga (VD)	Deputy Director	collective signature (2)
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Explanation of signs: \* do not sign jointly \*\*do not sign jointly

Ref. JOURNAL  
PUBLICATION FOSC (Federal Registry of  
Commerce)

	No.	Date	Date	Page
1	1560	4/17/00	5/3/00	2966
2	8402	8/18/00	8/31/00	5948
3	1322	1/31/01	2/7/01	0939
4	4701	4/26/01	5/2/01	3264

Ref. JOURNAL  
PUBLICATION FOSC (Federal Registry of  
Commerce)

	No.	Date	Date	Page
5	5069	5/7/01	5/11/01	3572
6	5631	5/23/01	5/30/01	4074
7	7607	7/18/01	7/24/01	5699

Moudon, November 1, 2001

(Stamped) Certified Conformed Copy  
Nov. 1, 2001  
(Signature of Agent)

Seal of Commercial Register

*End of Abstract*

Order No.	Sheet	Legal Entity	Report of	Date of Registration	Date of Dissolution	File No.		
<sup>2</sup> 412/122 5248	<sup>3</sup> 1	<sup>4</sup> Stock corporation	<sup>5</sup> 112/122	<sup>6</sup> December 26. 1968	<sup>7</sup>	<sup>8</sup> 8511		
Ref	Firm Name or Name	Ref	Location	Domicile-Address	Ref	Date of Bylaws	Ref	Subsidiaries
3	<sup>9</sup> Kudelski S.A. Kudelski S.A. Manufacturer of Nagra Recorders		<sup>10</sup> Cheseaux- sur-Lausanne	<sup>11</sup> Route de Geneve Route de Geneve 22	2	<sup>12</sup> 12/24/68 11/15/74 04/9/76 05/0/4/81 03/27/86 04/10/86 11/18/92 11/30/95		<sup>13</sup>
19	Kudelski S.A.							
Ref	Nominal Capital Paid	Shares, Payments to Partners, Resources	Ref	Purpose, Comments				

2	1.000.000	1.000.000	900 registered shares at 1.000 Fr.	3	<u>Purpose:</u> the study, development, manufacture, and sale of all electrical and mechanical apparatus. <u>Board:</u> 1-7 members <u>The board designates:</u> ...
4	3'000'000	3'000'000	1'000 registered shares at 100 Fr. 1'000 registered shares at 100 Fr. 1'000 registered shares at 100 Fr.	19	<u>Purpose:</u> the study, development, manufacture, and sale of electrical and mechanical apparatus, particularly recording devices with the mark "Nagra". <u>Purpose:</u> the study, development, manufacture, and sale of electrical and mechanical apparatus, particularly Nagra recording devices: any activity in the electronics sector (software and hardware).
22	3'000'000	3'000'000	22'500 registered shares at 10 Fr.: with voting privileges and transfer restrictions and 27'750 shares to the shareholder at 100 Fr.		
			27,000 registered shares at 10 Fr. with voting privileges and transfer restrictions, and 27'300 shares to the shareholder at 100 Fr.		

Ref. Contributions in-Kind, Buyouts, Payments to Creditors, Specific Benefits, Liabilities, Supplemental Expenses

2	<u>18 Payment to Creditor:</u> 1.000.000 Fr..				
4	<u>Payment to Creditor:</u> 1'000'000. Fr.				
6	13,000 100 Fr. participation bonds paying a proportional part of the net profit				
				Ref.	Publications, Surveillance Authority (Foundation)

<sup>19)</sup> Official Swiss Commerce Sheet



For associates, managers, administrators and persons with signing authority, see other side

[Side two of the document is a certified conformed copy listing the names and residence addresses of the officers and administrative personnel of the corporation, dates and pages of publication in Federal Registry of Commerce Publication]

END OF SHEET 1

TRADEMARK  
REEL: 002587 FRAME: 0516

Order No.	Sheet	Legal Entity	Report of	Date of Registration	Date of Dissolution	File No.	
3	2	4 Stock corporation	5 December 27, 1995	6 December 26, 1968	7	8 8511	
Ref.	Firm Name or Name	Location	Domicile-Address	Ref	Date of Bylaws	Ref	Subsidiaries
	9 Kudelski S.A.	10 Cheseaux-sur-Lausanne	11 Route de Geneve 22		12 12/24/68 11/30/95 (last change) 1 01/24/96 2 02/8/96 3 03/28/96 7 06/23/98		
Ref.	Nominal	Capital Paid	Shares, Payments to Partners, Resources	Ref	Purpose, Comments		

[Side two of the document is a certified conformed copy listing the names and residence addresses of the officers and administrative personnel of the corporation, dates and pages of publication in Federal Registry of Commerce Publication]

END OF SHEET 2

TRADEMARK  
REEL: 002587 FRAME: 0518

Order No.	Sheet	Legal Entity	Report of	Date of Registration	Date of Dissolution	File No.		
<sup>1</sup> 3	<sup>3</sup> 2 continued	<sup>4</sup> Stock corporation				<sup>8</sup> 8511		
Ref.	Firm Name or Name	Ref	Location	Ref	Domicile-Address	Date of Bylaws	Ref	Subsidiaries
	<sup>9</sup> Kudelski S.A.		<sup>10</sup>					
Ref.	Capital	Ref	Purpose, Comments	Ref				
<sup>3</sup>	Nominal Paid <sup>14</sup> 4'000'00 <sup>15</sup> 4'000'00		Shares, Payments to Partners, Resources <sup>16</sup> 53'600 registered shares at 10 Fr. with voting privilege and transfer restriction and 3'4640 shares to the shareholder at Fr. 100  3'4640 shares to shareholder at 100 Fr.  29'211 bonds to shareholder at 100 Fr. 6'921'000 registered shares at 10 Fr. with voting privilege and transfer restrictions, and (see column 17)					
<sup>3</sup>	Capital Participation: <del>2'921'100</del> 2'921'100							
<sup>7</sup>	6'921'000 6'921'000							

<sup>17</sup> Continuation of columns 14, 15 and 16  
62'961 shares to shareholder at 100 Fr.

.Contributions in-Kind, Buyouts, Payments to Creditors,  
Specific Benefits, Liabilities, Supplemental Expenses

18				
	Ref	Publications, Surveillance Authority (Foundation)		
19 Official Swiss Commerce Sheet				

For associates, managers, administrators and persons with signing authority, see other side

[Side two of the document is blank]

END OF SHEET 2 CONTINUATION

Order No.	Sheet	Legal Entity	Report of	Date of Registration	Date of Dissolution	File No.
5248	3	Stock corporation	August 13, 1998	December 26, 1968		8511

Ref.	Firm Name or Name	Ref	Location	Ref	Domicile-Address	Ref	Date of Bylaws	Ref	Subsidiaries
	Kudelski S.A.		Cheseaux-sur-Lausanne		Route de Genève 22		12/24/68 06/23/98 (last changed) 1 10/26/98 3 05/28/99 4 04/11/00		
Ref	Nominal Capital Paid	Ref	Shares, Payments to Partners, Resources	Ref	Purpose, Comments				

1	<sup>14</sup> 6921100-15 6921100  41526600 41526600	62500 registered shares at 10 Fr. with voting privilege and transfer restrictions, and 62961 shares to shareholder at 100 Fr. 375,000  375000 registered shares at 10 Fr. with voting privilege and transfer restrictions, 377766 shares to shareholder at 100 Fr.	<sup>17</sup> Purpose: the development, manufacture, integration and sale of communications systems, particularly in the domain of pay television, as well as any activity in the electronics sector (software and hardware)  Purpose: To hold and manage interests for active enterprises, particularly in the domain of communication systems, security, and electronics in general.
4	41598100 41598100	375'000 registered shares at 10. CHF, with voting privilege and transfer restrictions, and (continued at column 17)	<u>Continuation of Column 16:</u> 378'481 shares to shareholder at CHF 100.

Ref. Contributions in-Kind, Buyouts, Payments to Creditors, Specific Benefits, Liabilities, Supplemental Expenses

		Ref	Publications, Surveillance Authority (Foundation)
			<sup>19</sup> Official Swiss Commerce Sheet

For associates, managers, administrators and persons with signing authority, see other side



[Side two of the document is a certified conformed copy listing the names and residence addresses of the officers and administrative personnel of the corporation, dates and pages of publication in Federal Registry of Commerce Publication]

END OF SHEET 3

TRADEMARK  
REEL: 002587 FRAME: 0523

**VERIFICATION OF A TRANSLATION**

I, the below named translator, hereby declare that:

My name and post office address are as stated below:

That I am knowledgeable in the English language and in the language in which the below identified publication was originally published, and that I believe the attached English translation of the Trade Register of Canton de Vaud is exact.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any trademark issued thereon.

Date: May 6, 2002

Full name of the translator: Sue Duffy

Signature of the translator: 

Post Office Address: 7 Arcadian Lane  
Litchfield, NH 03052



# REGISTRE DU COMMERCE DU CANTON DE VAUD

REGISTRE PRINCIPAL  
Report du 13 mai 2000  
No réf. H968/01907  
N° féd. CH-550-1001447-9

## Kudelski S.A.

Société anonyme inscrite le 26 décembre 1968

Réf.	Raison sociale	
1	Kudelski S.A.	
	<b>Siège</b>	
1	Cheseaux-sur-Lausanne	
	<b>Adresse</b>	
1	Route de Genève 22	
	<b>Dates des statuts</b>	
1	24.12.1968 11.04.2000 (dern. mod.)	6 18.05.2001
2	19.05.2000 17.08.2000	7 13.07.2001
5	28.03.2001	
	<b>But, observations</b>	
1	<u>But:</u> détention et gestion de participations à des entreprises actives notamment dans le domaine des systèmes de communication, de sécurité et de l'électronique en général.	
	<b>Organe de publicité</b>	
1	Feuille officielle suisse du commerce	

Réf.	Capital-actions		
	Nominal	Libéré	Actions
1	CHF 41'598'100	CHF 41'598'100	375'000 actions nominatives de CHF 10.-, privilégiées quant au droit de vote et avec restrictions quant à la transmissibilité, et 378'481 actions au porteur de CHF 100.-
2	CHF 499'177'200	CHF 499'177'200	4'500'000 actions nominatives de CHF 10.-, privilégiées quant au droit de vote, avec restrictions quant à la transmissibilité, et 4'541'772 actions au porteur de CHF 100.-
5	CHF 500'324'100	CHF 500'324'100	4'500'000 actions nominatives de CHF 10.-, privilégiées quant au droit de vote et avec restrictions quant à la transmissibilité, et 4'553'241 actions au porteur de CHF 100.-
6	CHF 500'324'100	CHF 500'324'100	45'000'000 actions nominatives de CHF 1, privilégiées quant au droit de vote et avec restrictions quant à la transmissibilité, et 45'532'410 actions au porteur de CHF 10.-
7	CHF 512'940'680	CHF 512'940'680	46'300'000 actions nominatives de CHF 1, privilégiées quant au droit de vote et avec restrictions quant à la transmissibilité, et 46'664'068 actions au porteur de CHF 10.-
	<b>Apports en nature, reprises de biens, avantages particuliers</b>		
5	Reprise de biens envisagée: l'intégralité des actions de Live Wire Communications, Inc, à Gainesville (USA), pour CHF 15'000'000 au maximum.		
7	Reprise de biens envisagée: l'intégralité des actions de SkiData AG, à Gartenau (A), pour CHF 250'000'000 au		

1 3		5		6		7		8	
Numéro d'ordre		Nature juridique		Date de l'inscription		Date de la radiation		Numéro du dossier	
5248		Société anonyme		26 décembre 1968				8511	
3		Raison sociale ou nom		Siège		Domicile - Adresse		Supplémentaires	
Kudelski S.A.				Cheseaux-sur-Lausanne		Route de Genève 22			
14		16		17		18		19	
Réf.		Réf.		Réf.		Réf.		Réf.	
1		3		3		12		13	
4		4		4		1		1	
4		4		4		1		1	
15		16		17		18		19	
Capital libéré		Actions, prestations des associés, ressources		But, observations		Date des statuts		Supplémentaires	
8'921'100		62'500 actions nominatives de Fr. 10.-- privilégiées quant au droit de veto et avec restrictions quant à la transmission, et 62'961 actions au porteur de Fr. 100.--.		But : développement, fabrication, intégration et vente de systèmes de communication, notamment dans le domaine de la télévision à péage ainsi que toute activité dans le secteur de l'électronique (softwares et hardwares).		24.12.1968 23.06.1998 (dern. modif.) 1 26.10.1998 3 28.05.1999 4 11.04.2000			
41'526'600		375'000 actions nominatives de Fr. 10.-- privilégiées quant au droit de veto et avec restrictions quant à la transmission, et 375'000 actions au porteur de Fr. 100.--.		But : détention et gestion de participations à des entreprises actives notamment dans le domaine des systèmes de communication de sécurité et de l'électronique en général.					
41'598'100		375'000 actions nominatives de CHF 10.-- privilégiées quant au droit de veto et avec restrictions quant à la transmission, et 375'000 actions au porteur de Fr. 100.--.		Suite de la colonne 16 : 378'481 actions au porteur de CHF 100.--					
19		20		21		22		23	
Apports en nature, reprise de biens particuliers, responsabilité, versements supplémentaires		Organes de publicité, autorité de surveillance (fondation)		Feuille officielle suisse du commerce					

TRADEMARK

1	2	3	4	5	6	7	8	9
Numéro d'ordre	Fiche	Nature juridique	Report du	Date de l'inscription	Date de la radiation	Numéro du dossier		
3	2	Société anonyme	27 décembre 1995	26 décembre 1998		8511		
Réf.		Raison sociale ou nom	Siège	Domicile - Adresse	Date des statuts	Ref.	Succursales	
		Kudejski S.A.	Cheseaux-sur-Lausanne	Route de Genève 22	24.12.1968 30.11.1995 (dern. modif.) 1 24.01.1996 2 08.02.1996 3 28.03.1996 7 23.06.1998			
Réf.		Capital libéré	Actions, prestations des associés, ressources	But, observations				
1	3'000'000	3'000'000	27'000 actions nominatives de Fr. 10.-- privilégiées quant au droit de vote et restriction quant à la transmissibilité, et 27'300 actions au porteur de Fr. 100 et 40'200 actions nominatives de Fr. 10.-- privilégiées quant au droit de vote et restriction quant à la transmissibilité et 25'980 actions au porteur de Fr. 100.-- (suite voir page 2bis)	But : étude, développement, fabrication et vente d'appareils électriques et mécaniques, notamment des enregistreurs Nagra; toute activité dans le secteur électronique (software et hardware). But : développement, fabrication, intégration et vente de systèmes de communication, notamment dans le domaine de la télévision à péage ainsi que toute activité dans le secteur de l'électronique (softwares et hardwares). 890 actions au porteur de Fr. 100.-- sont converties en 8'900 actions nominatives de Fr. 10.--. Les 29'211 bons au porteur, entièrement libérés et formant l'entier du capital-participation, sont convertis en 29'211 actions au porteur de Fr. 100.--.				
1	1'661'600	1'661'600	16'616 bons au porteur de Fr. 100.-- (suite voir page 2bis)					
Réf.		Apports en nature, reprise de biens particuliers, responsabilités, versements supplémentaires						
		13'000 bons de participation de Fr. 100.--, donnant droit à une part proportionnelle du bénéfice net.						
Réf.		Organes de publicité, autorité de surveillance (fondation)						
		Feuille officielle suisse du commerce						

TRADEMARK

REEL: 002587 FRAME: 0527



