

10-24-2002



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

102259195
COVER SHEET
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):

CacheFlow, Inc.

10/21/02

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

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

3. Nature of conveyance:

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

Execution Date: August 21, 2002

2. Name and address of receiving party(ies)

Name: Blue Coat Systems, Inc.

Internal Address:

Street Address: 650 Almanor Avenue

City: Sunnyvale State: CA Zip: 94085

- 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

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

A. Trademark Application No.(s) 75/802,375
78/146,726

B. Trademark Registration No.(s) _____

Additional number(s) attached Yes No

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

Name: Susan Berney-Key, Esq.
Cooley Godward LLP

Internal Address: _____

Street Address: Five Palo Alto Square, 4th Flr
3000 El Camino Real

City: Palo Alto State: CA Zip: 94306-2155

6. Total number of applications and registrations involved: 2

7. Total fee (37 CFR 3.41).....\$ 65.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

033118

OFFICE OF THE COMMISSIONER OF PATENTS AND TRADEMARKS
FINANCE SECTION
OCT 21 10 34 AM '02
RECORDS

DO NOT USE THIS SPACE

9. Signature.

Todd S. Bontemps, Esq.

Name of Person Signing

Signature

OCT 21 2002

Date

Total number of pages including cover sheet, attachments, and document: 7

10/23/2002 6TOM11 00000137 033118 75002375

01 FC:8521 40.00 CH
02 FC:8522 25.00 CH

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

TRADEMARK
REEL: 002604 FRAME: 0364

Delaware

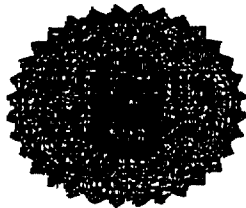
PAGE 1

The First 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:

"BLUE COAT SYSTEMS, INC.", A DELAWARE CORPORATION,
WITH AND INTO "CACHEFLOW INC." UNDER THE NAME OF "BLUE COAT SYSTEMS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-FIRST DAY OF AUGUST, A.D. 2002, 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

2599317 B100M

020527177

AUTHENTICATION: 1945506

DATE: 08-21-02

TRADEMARK

REEL: 002604 FRAME: 0365

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:00 AM 08/21/2002
020527177 - 2599317

CERTIFICATE OF OWNERSHIP AND MERGER

MERGING

CACHEFLOW INC.

WITH

BLUE COAT SYSTEMS, INC.

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

CacheFlow Inc., a corporation organized and existing under the General Corporation Laws of the State of Delaware,

DOES HEREBY CERTIFY:

FIRST: That this corporation owns all of the outstanding shares Blue Coat Systems, Inc., a corporation organized and existing under the General Corporation Law of the State of Delaware.

SECOND: That this corporation, by the following resolutions of its Board of Directors, duly adopted at a meeting held pursuant to Section 141(b) of the General Corporation Law of the State of Delaware on the 14th day of August, 2002, determined to merge Blue Coat Systems, Inc. into itself on the terms and conditions set forth in such resolutions:

RESOLVED that Blue Coat Systems, Inc. be merged with and into the Company and that the Company be the surviving corporation in such merger.

FURTHER RESOLVED that the merger shall become effective upon the date and time of the filing of a Certificate of

GDSVFBLLN150472v1

Ownership and Merger with a Secretary of State of the State of Delaware.

FURTHER RESOLVED that upon the effectiveness of the merger, the Company shall assume all of the liabilities and obligations of Blue Coat Systems, Inc.

FURTHER RESOLVED that upon the effectiveness of the merger, the name of the Corporation shall be changed to "Blue Coat Systems, Inc." and Article I of the Restated Certificate of Incorporation of the Corporation shall be amended to read as follows:

"The name of the corporation is Blue Coat Systems, Inc. (the "Corporation")."

IN WITNESS WHEREOF, said CacheFlow Inc. has caused this certificate to be signed by Brian NeSmith, its President, and attested by Robert Verheecke, its Secretary, this 20th day of August, 2002.

CACHEFLOW INC.

By: /s/ B. M. NeSmith
Brian NeSmith, President

By: /s/ Robert Verheecke
Robert Verheecke, Secretary

October 16, 2002

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

Re: Recordation of Merger Documents as to Application Serial Nos. 75/802,375 and 78/146,726
Our Files: Blue Coat Systems, Inc./CACHEOS/U.S., Class 9
Blue Coat Systems, Inc./BLUE COAT/U.S., Class 9

Dear Sir or Madam:

Enclosed please find the Recordation Form Cover Sheet along with a copy of the Certificate of Ownership and Merger as it was filed with the Delaware Secretary of State for the above-referenced applications. The merger documents reflect that Blue Coat Systems, Inc. is not the current owner of the above marks.

The USPTO is hereby authorized to charge the \$65.00 recordation fee to Deposit Account No. 03-3118.

A copy of this letter is attached for reference. Thank you.

Very truly yours,

COOLEY GODWARD LLP

Susan Berney-Key
Susan D. Berney-Key

Enclosures

356505 v1/SD
7N2X01!.DOC

| Certificate of Mailing | |
|---|----------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as First-Class Mail, postage prepaid in an envelope addressed to: Box Assignments, Commissioner of Patents for Trademarks, Washington, D.C. 20231. | |
| (Name) | <i>Susan D. Berney-Key</i> |
| (Date) | <i>October 16, 2002</i> |

Applicant: Blue Coat Systems, Inc.

Date Mailed: October 16, 2002

Mark: CACHEOS, Class 9

Opp. No: _____

Ser/Reg No: BLUE COAT, Class 9

C/M No: 030329-201

Our File: 75/802,375

Atty/Secy: TSB/DAK/rc

Blue Coat Systems, Inc./CACHEOS/U.S., Class 9

Blue Coat Systems, Inc./BLUE COAT/U.S., Class 9

Express Mail No:

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

- | | |
|--|--|
| <input type="checkbox"/> Transmittal Letter | <input type="checkbox"/> Amendment to Allege Use |
| <input type="checkbox"/> Trademark Application, _____ pages | <input type="checkbox"/> Declaration Under Sections 8 and 15 |
| <input type="checkbox"/> Service Mark Application, _____ pages | <input type="checkbox"/> Recordation of Trademark Assignment Cover |
| <input type="checkbox"/> Response to Office Action No. _____ | <input type="checkbox"/> Statement of Use with 1 Specimen |
| <input type="checkbox"/> Request for Extension of Time | <input type="checkbox"/> 1 Specimen Enclosed |

Check No. _____ for \$ _____

Other: Recordation of Merger Documents as to Application Serial Nos.

75/802,375 and 78/146,726

Applicant:

Date Mailed:

October 16, 2002

SUSAN D. BERNEY-KEY
650 843-5252
berneykeysd@cooley.com

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

Re: Recordation of Merger Documents as to Application Serial Nos. 75/802,375 and 78/146,726
Our Files: Blue Coat Systems, Inc./CACHEOS/U.S., Class 9
Blue Coat Systems, Inc./BLUE COAT/U.S., Class 9

Dear Sir or Madam:

Enclosed please find the Recordation Form Cover Sheet along with a copy of the Certificate of Ownership and Merger as it was filed with the Delaware Secretary of State for the above-referenced applications. The merger documents reflect that Blue Coat Systems, Inc. is not the current owner of the above marks.

The USPTO is hereby authorized to charge the \$65.00 recordation fee to Deposit Account No. 03-3118.

A copy of this letter is attached for reference. Thank you.

Very truly yours,

COOLEY GODWARD LLP

Susan Berney-Key
Susan D. Berney-Key

Enclosures

356505 v1/SD
7N2X01!.DOC

| Certificate of Mailing | |
|---|----------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as First-Class Mail, postage prepaid in an envelope addressed to: Box Assignments, Commissioner of Patents for Trademarks, Washington, D.C. 20231. | |
| (Name) | <i>Susan D. Berney-Key</i> |
| (Date) | <i>October 16, 2002</i> |

Delaware

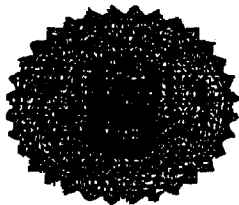
PAGE 1

The First 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:

"BLUE COAT SYSTEMS, INC.", A DELAWARE CORPORATION,
WITH AND INTO "CACHEFLOW INC." UNDER THE NAME OF "BLUE COAT SYSTEMS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-FIRST DAY OF AUGUST, A.D. 2002, 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

2599317 8100M
020527177

AUTHENTICATION: 1945506

DATE: 08-21-02

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:00 AM 08/21/2002
020527177 - 2599317

CERTIFICATE OF OWNERSHIP AND MERGER

MERGING

CACHEFLOW INC.

WITH

BLUE COAT SYSTEMS, INC.

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

CacheFlow Inc., a corporation organized and existing under the General Corporation Laws of the State of Delaware,

DOES HEREBY CERTIFY:

FIRST: That this corporation owns all of the outstanding shares Blue Coat Systems, Inc., a corporation organized and existing under the General Corporation Law of the State of Delaware.

SECOND: That this corporation, by the following resolutions of its Board of Directors, duly adopted at a meeting held pursuant to Section 141(b) of the General Corporation Law of the State of Delaware on the 14th day of August, 2002, determined to merge Blue Coat Systems, Inc. into itself on the terms and conditions set forth in such resolutions:

RESOLVED that Blue Coat Systems, Inc. be merged with and into the Company and that the Company be the surviving corporation in such merger.

FURTHER RESOLVED that the merger shall become effective upon the date and time of the filing of a Certificate of

Ownership and Merger with a Secretary of State of the State of Delaware.

FURTHER RESOLVED that upon the effectiveness of the merger, the Company shall assume all of the liabilities and obligations of Blue Coat Systems, Inc.

FURTHER RESOLVED that upon the effectiveness of the merger, the name of the Corporation shall be changed to "Blue Coat Systems, Inc." and Article I of the Restated Certificate of Incorporation of the Corporation shall be amended to read as follows:

"The name of the corporation is Blue Coat Systems, Inc. (the "Corporation")."

IN WITNESS WHEREOF, said CacheFlow Inc. has caused this certificate to be signed by Brian NeSmith, its President, and attested by Robert Verheecke, its Secretary, this 20th day of August, 2002.

CACHEFLOW INC.

By: /s/ B. M. NeSmith
Brian NeSmith, President

By: /s/ Robert Verheecke
Robert Verheecke, Secretary