

FORM PTO-1594 RECORDATION FORM COVER SHEET  
1-31-92 TRADEMARKS ONLY



102262150

To the Honorable Commissioner of Patents and Trademarks, [Address], [City], [State], [Zip]. Original documents or copy thereof

1.	Name and Address of Conveying Party(ies): NV Acquisition, Inc. 111 N. Nursey Road Irving, Texas 75060 <i>9-23-02</i>	2.	Name and Address of Receiving Party(ies): Night Vision Technologies, Inc. 111 N. Nursey Road Irving, Texas 75060
	Individual(s)		Individual(s)
	Association		Association
	General Partnership		General Partnership
	Limited Partnership		Limited Partnership
<input checked="" type="checkbox"/>	Corporation -- State: Texas	<input checked="" type="checkbox"/>	Corporation -- State: Texas
	Other:		Limited Liability Company
	Additional Name(s) of Conveying Party(ies) Attached		Additional Name(s) of Receiving Party(ies) Attached

3.	Nature of Conveyance: Assignment Security Agreement Merger <input checked="" type="checkbox"/> Change of Name Other:	4.	Application Number(s) or Registration Number(s): 1 NIGHT GUARD, Serial No. 76320,946 SEEING IS BELIEVING, Ser No 76365,075
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Execution Date: August 6, 2002

5.	Name and Address of Party to Whom Correspondence Concerning Documents Should Be Mailed: Kay Lyn Schwartz Gardere & Wynne, L.L.P. 1601 Elm Street, Suite 3000 Dallas, Texas 75201 214-999-4702 - Telephone 214-999-4667 - Facsimile	6.	Total Number of Applications and Registrations Involved: 1
		7.	Total Fee (37 CFR 3.41): \$65.00
			Previously submitted
			Authorized to be Charged to Deposit Account
		<input checked="" type="checkbox"/>	Charge Any Deficiencies to Deposit Account
		8.	Deposit Account Number: 07-0153

9. Statement and Signature:  
To the best of my knowledge and belief, the foregoing information is true and correct and any attachment copy is a true copy of the original document

*Kay Lyn Schwartz*  
 Kay Lyn Schwartz, Reg. No. 39,020  
 9-12-02 Date

Certificate of Mailing: I hereby certify that this Recordation Form Cover Sheet, together with the attached Assignment, is being deposited with the U.S. Postal Service as Express Mail #902513475 in an envelope addressed to the Commissioner for Patents and Trademarks, Washington, DC 20231 on  
 Date September 12, 2002  
*Sandra Stuart*  
 Sandra Stuart

Mail To: Commissioner of Patents and Trademarks, Box ASSIGNMENTS, Washington, D.C. 20231 Total # of Pages Including This Cover Sheet 6

10/28/2002 DBTRNE 00000009 76320946  
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02 FC:8522 25.00 DP

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Corporations Section  
P.O.Box 13697  
Austin, Texas 78711-3697

Gwyn Shea  
Secretary of State



**Office of the Secretary of State**

**CERTIFICATE OF RESTATED ARTICLES  
OF**

Night Vision Technologies, Inc.  
800088211

[formerly: NV Acquisition, Inc.]

The undersigned, as Secretary of State of Texas, hereby certifies that the Restated Articles for the above named entity have been received in this office and have been found to conform to law.

ACCORDINGLY the undersigned, as Secretary of State, and by virtue of the authority vested in the Secretary by law hereby issues this Certificate of Restated Articles.

Dated: 08/06/2002

Effective: 08/06/2002



A handwritten signature in cursive script that reads "Gwyn Shea".

Gwyn Shea  
Secretary of State

Come visit us on the internet at <http://www.sos.state.tx.us/>

PHONE(512) 463-5555  
Prepared by: Sasm

FAX(512) 463-5709

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**TRADEMARK**  
**REEL: 002605 FRAME: 0631**

FILED  
In the Office of the  
Secretary of State of Texas

AUG 06 2002

Corporations Section

**AMENDED AND RESTATED  
ARTICLES OF INCORPORATION  
OF  
NV ACQUISITION, INC.**

Pursuant to the provisions of Articles 4.04 and 4.07 of the Texas Business Corporation Act, NV Acquisition, Inc. (the "Corporation"), hereby adopts these Amended and Restated Articles of Incorporation of the Corporation (the "Restated Articles") which accurately copy the Articles of Incorporation of the Corporation (the "Articles") and all amendments thereto that are in effect to date and as further amended by such Restated Articles, as hereinafter set forth, and which contain no other change in any provision thereof.

**ARTICLE ONE.** The Articles are amended by the Restated Articles as follows:

The Articles are hereby amended by amending ARTICLE I to read in its entirety as follows:

**"ARTICLE I**

The name of the corporation is Night Vision Technologies, Inc."

**ARTICLE TWO.** The amendment made by the Restated Articles has been effected in conformity with the provisions of the Texas Business Corporation Act and such Restated Articles and the amendment made by these Restated Articles was duly adopted by the sole shareholder of the Corporation as of June 20, 2002.

**ARTICLE THREE.** The number of shares of capital stock of the Corporation outstanding and entitled to vote was 1,000 shares of Common Stock, without par value ("Common Stock") at the time of the adoption of these amendments.

**ARTICLE FOUR.** The holder of 1,000 shares of Common Stock outstanding and entitled to vote, which number represents all of the outstanding shares of Common Stock, has signed a written consent to the adoption of the amendment. No shares of Common Stock were voted against adoption of the amendment.

**ARTICLE FIVE.** The Articles and all amendments and supplements thereto that are in effect to date are hereby superseded by the following Restated Articles which accurately copy the entire text thereof and as amended as above set forth:

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**ARTICLE I**

The name of the corporation is Night Vision Technologies, Inc.

**ARTICLE II**

The period of its duration is perpetual.

**ARTICLE III**

The purpose for which the corporation is organized is to transact any and all lawful business for which corporations may be incorporated under the Texas Business Corporation Act.

**ARTICLE IV**

The street address of the initial registered office of the corporation is 1601 Elm Street, Suite 3000, Dallas, Texas 75201, and the name of the initial registered agent of the corporation at such address is W. Robert Dyer, Jr.

**ARTICLE V**

The corporation is authorized to issue one class of capital stock to be designated Common Stock. The aggregate number of shares which the corporation shall have authority to issue is One Hundred Thousand (100,000) shares of Common Stock, without par value.

**ARTICLE VI**

Cumulative voting in the election of directors is expressly prohibited.

**ARTICLE VII**

No shareholder of the corporation will by reason of his holding shares of stock of the corporation have any preemptive or preferential rights to purchase or subscribe to any shares of any class of stock of the corporation, or any notes, debentures, bonds, warrants, options or other securities of the corporation, now or hereafter to be authorized.

**ARTICLE VIII**

The corporation will not commence business until it has received for the issuance of its shares consideration of the value of One Thousand Dollars (\$1,000.00).

**ARTICLE IX**

The number of directors shall be fixed in the manner provided in the Bylaws of the corporation. The number of directors constituting the current Board of Directors is one (1), and the name and address of the person who is serving as director until the next annual meeting of

shareholders or until his successor is duly elected and qualified is Robert A. Schnee, 111 N. Nursery Road, Irving, Texas 75060.

ARTICLE X

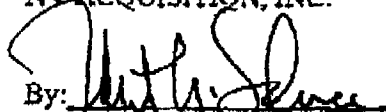
To the fullest extent permitted by Texas statutory or decisional law, as the same exists or may hereafter be amended or interpreted, a director of the corporation shall not be liable to the corporation or its shareholders for any act or omission in such director's capacity as a director. Any repeal or amendment of this Article, or adoption of any other provision of these Articles of Incorporation inconsistent with this Article, by the shareholders of the corporation shall be prospective only and shall not adversely affect any limitation on the liability to the corporation or its shareholders of a director of the corporation existing at the time of such repeal, amendment or adoption of an inconsistent provision.

ARTICLE XI

Any action which may be taken at any annual or special meeting of shareholders may be taken without a meeting, without prior notice, and without a vote, if a written consent or consents, setting forth the action so taken, is signed by the holders of shares having not less than the minimum number of votes necessary to take such action at a meeting at which the holders of all shares entitled to vote on the action were present and voted.

IN WITNESS WHEREOF, the undersigned has executed these Restated Articles on August 6, 2002.

NV ACQUISITION, INC.

By:   
Robert A. Schnee, President