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Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings

02-13-2003

U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office



102365057

original documents or copy thereof.

To the Honorable Commissioner of

1. Name of conveying party(ies): **MadeToOrder.com, Inc.** 2-10-03

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

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

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

Execution Date: **January 30, 2003**

2. Name and address of receiving party(ies) Name: **BrandVia, Inc.**

Internal Address:

Street Address: **3073 Corvin Drive**

City: **Santa Clara** State: **CA** Zip: **95051**

- 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 **N/A**
(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) **76/482,805**

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: **DeAnne H. Ozaki, Esq.**

Internal Address: **Latham & Watkins LLP**

Street Address: **633 West Fifth Street**
Suite 4000

City: **Los Angeles** State: **CA** Zip: **90071**

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:

(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.

DeAnne H. Ozaki
Name of Person Signing

Signature

2/7/03
Date

Total number of pages including cover sheet, attachments, and document: 3

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

02/12/2003 6TOM11 00000167 76482805

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40.00 00

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 02:18 PM 01/30/2003
030063836 - 3078324

**CERTIFICATE OF AMENDMENT
TO THE
SEVENTH AMENDED AND RESTATED
CERTIFICATE OF INCORPORATION
OF
MADETOORDER.COM, INC.**

The undersigned, Monte D. Wood, hereby certifies that:

1. He is the Chief Executive Officer and President of MadeToOrder.com, Inc., a Delaware corporation (the "Corporation");

2. The date of filing of the original Certificate of Incorporation of the Corporation with the Delaware Secretary of State is August 11, 1999; and

3. Article 1 of the Seventh Amended and Restated Certificate of Incorporation of the Corporation is hereby amended and restated to read in its entirety as follows:

"The name of the Corporation is BrandVia, Inc."

* * * *

4. The foregoing Amendment to the Seventh Amended and Restated Certificate of Incorporation has been duly approved by the Board of Directors of the Corporation.

5. The foregoing Amendment to the Seventh Amended and Restated Certificate of Incorporation has been duly approved by the holders of the necessary number of shares of the Corporation's voting securities in accordance with the provisions of Sections 228 and 242 of the General Corporation Law of the State of Delaware.

I, THE UNDERSIGNED, being the Chief Executive Officer and President of MadeToOrder.com, Inc., for the purpose of amending the Seventh Amended and Restated Certificate of Incorporation of the Corporation pursuant to the General Corporation Law of the State of Delaware, do make this certificate, herein declaring and certifying that I have read the foregoing certificate and know the contents thereof and that the same is true of my knowledge, and accordingly have hereunto set my hand this 30th day of January, 2003.



Monte D. Wood
Chief Executive Officer and President

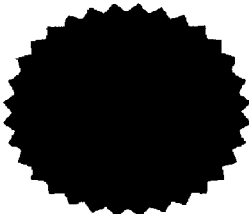
Delaware

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 AMENDMENT OF "MADETOORDER.COM, INC.", CHANGING ITS NAME FROM "MADETOORDER.COM, INC." TO "BRANDVIA, INC.", FILED IN THIS OFFICE ON THE THIRTIETH DAY OF JANUARY, A.D. 2003, AT 2:18 O'CLOCK P.M.

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



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

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AUTHENTICATION: 2236753

DATE: 01-31-03



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February 7, 2003

VIA FEDERAL EXPRESS

027744-0000

Commissioner of Patents and Trademarks
BOX ASSIGNMENTS
Washington, D.C. 20231

Re: Recordation of Name Change Document

Sir or Madam:

For the recordation of name change document, enclosed please find the following documents:

1. Trademark Recordation Form Cover Sheet;
2. A copy of the name change document; and
3. Latham & Watkins LLP check, in the amount of \$40.00, for the applicable filing fee.

Please record the name change document and amend your records to reflect that MadeToOrder.com, Inc. has changed its name to BrandVia, Inc.

Do not hesitate to contact the undersigned should you have any questions regarding this matter.

Very truly yours,

DeAnne H. Ozaki
of LATHAM & WATKINS LLP

Enclosures

cc: Laura Bushnell, Esq. (w/o encls.)
James Morrone, Esq. (w/o encls.)

LA\1004846.1

RECORDED: 02/10/2003

**TRADEMARK
REEL: 002670 FRAME: 0482**