

02-25-2003

Form PTO-1594  
(Rev. 10/02)  
OMB No. 0851-0027 (exp. 6/30/2005)



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

Tab settings ⇨ ⇨ ⇨ ▼

102371524

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

1. Name of conveying party(ies):

Digital Appliance Corporation

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

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

2. Name and address of receiving party(ies)

Name: Pillar Data Systems, Inc.

Internal

Address:

Street Address: 71 Vista Montana

City: San Jose State: CA Zip: 95134

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State California
- 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
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: 06/26/2002

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

A. Trademark Application No.(s) 78/125931  
78/126063

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: Nicholas G. Mehler

Internal Address: Latham & Watkins

Street Address: 885 Third Avenue

TDIAZ1 00000096 501988 78125931

City: New York State: NY Zip: 10022

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:

50-1988

RECEIVED  
FEB 25 11 17 AM '03  
FINANCE SECTION

DO NOT USE THIS SPACE

9. Signature.

Nicholas G. Mehler  
Name of Person Signing

Nicholas G. Mehler  
Signature

Feb. 11, 2003  
Date

Total number of pages including cover sheet, attachments, and document: 13

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

02/24/2003  
01 FC:0521  
02 FC:0522

# State of California



## SECRETARY OF STATE

I, *Kevin Shelley*, Secretary of State of the State of California, hereby certify:

That the attached transcript of 1 page(s) was prepared by and in this office from the record on file, 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

**FEB 06 2003**



*Kevin Shelley*  
Secretary of State

Nep

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S.P

**CERTIFICATE OF AMENDMENT  
OF THE AMENDED AND RESTATED  
ARTICLES OF INCORPORATION**

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

JUN 26 2002  
*Bill Jones*  
BILL JONES, Secretary of State

Michael Workman and Philip B. Simon certify that:

1. They are the President and Secretary, respectively, of **Digital Appliance Corporation**, a California corporation.

2. Section "I" of the Amended and Restated Articles of Incorporation is hereby amended to read as follows:

"The name of the corporation is **Pillar Data Systems, Inc.**"

3. The foregoing amendment of the Amended and Restated Articles of Incorporation has been duly approved by the Board of Directors.

4. The foregoing amendment of the Amended and Restated Articles of Incorporation has been duly approved by the required vote of shareholders in accordance with Section 902 of the California Corporations Code. The total number of outstanding shares of the corporation is 50,533,583 number of shares voting in favor of the amendments equaled or exceeded the vote required. The percentage vote required was more than 50%.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this Certificate of Amendment are true and correct of our own knowledge.

Date: June 7, 2002

*[Handwritten Signature]*  
\_\_\_\_\_  
Michael Workman, President

*[Handwritten Signature]*  
\_\_\_\_\_  
Philip B. Simon, Secretary



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