

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
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NATURE OF CONVEYANCE:	CHANGE OF NAME
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CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Anaerobics, Inc.		01/13/2004	CORPORATION: DELAWARE

RECEIVING PARTY DATA	
Name:	Ecovation, Inc.
Street Address:	50 Square Drive
Internal Address:	Suite 200
City:	Victor
State/Country:	NEW YORK
Postal Code:	14564
Entity Type:	CORPORATION: DELAWARE

PROPERTY NUMBERS Total: 5		
Property Type	Number	Word Mark
Registration Number:	2763023	ANAEROBICS
Registration Number:	2742891	ANAEROBICS CONQUERING A WORLD OF WASTE
Serial Number:	76092584	MFT
Serial Number:	78333251	ECOVATION
Serial Number:	78333246	ECOVATION

CORRESPONDENCE DATA	
Fax Number:	(585)232-2152
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	585 231 1386
Email:	bsalai@hselaw.com
Correspondent Name:	Stephen B. Salai
Address Line 1:	1600 Bausch & Lomb Place
Address Line 4:	Rochester, NEW YORK 14604

ATTORNEY DOCKET NUMBER:	29331.000002
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CH \$140.00 2763023

NAME OF SUBMITTER:

Stephen B. Salai

Total Attachments: 2

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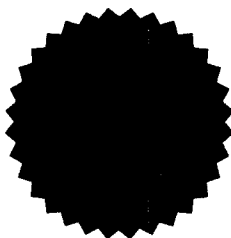
Delaware

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 "ANAEROBICS, INC.", CHANGING ITS NAME FROM "ANAEROBICS, INC." TO "ECOVATION, INC.", FILED IN THIS OFFICE ON THE FOURTEENTH DAY OF JANUARY, A.D. 2004, AT 11:21 O'CLOCK A.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

2490469 8100

040026871

AUTHENTICATION: 2871224

DATE: 01-14-04

TRADEMARK

REEL: 002790 FRAME: 0395

**CERTIFICATE OF AMENDMENT
OF THE
AMENDED AND RESTATED CERTIFICATE OF INCORPORATION
OF
ANAEROBICS, INC.**

AnAerobics, Inc., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "Corporation"),

DOES HEREBY CERTIFY:

FIRST: The name of the Corporation is AnAerobics, Inc. The original Certificate of Incorporation was filed with the Secretary of State of the State of Delaware on March 17, 1995 under the name EHH Holding Co., Inc. On May 8, 1996, the Corporation filed a Certificate of Amendment to the Certificate of Incorporation with the Secretary of State of the State of Delaware changing its name to AnAerobics, Inc. On May 17, 2001, the Corporation filed a Certificate of Amendment to the Certificate of Incorporation to increase the number of shares of authorized capital stock. On September 23, 2003, the Corporation filed an Amended and Restated Certificate of Incorporation which restated the Certificate in its entirety, increased the authorized number of shares and designated a series of preferred shares.

SECOND: That the Board of Directors, at a meeting held on December 17, 2003, adopted a resolution proposing and declaring advisable the following amendment to the Amended and Restated Certificate of Incorporation of said Corporation:

RESOLVED, that the Amended and Restated Certificate of Incorporation of AnAerobics, Inc. be amended by changing the First Article thereof so that, as amended, said Article shall read as follows:

"FIRST: The name of the Corporation is Ecovation, Inc."

THIRD: That in lieu of a meeting and vote of stockholders, the stockholders have given written consent to said amendment in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware and written notice of the adoption of the amendment has been given as provided in Section 228 of the General Corporation Law of the State of Delaware.

FOURTH: That the aforesaid amendment was duly adopted in accordance with the applicable provisions of Sections 242 and 228 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, the Corporation has caused this certificate to be signed Diane Creel, its President, this 13th day of January, 2004.

AnAerobics, Inc.

By 
Diane Creel, President

State of Delaware
Secretary of State
Division of Corporations
Delivered 11:21 AM 01/14/2004
FILED 11:21 AM 01/14/2004
SRV 040026871 - 2490469 FILE

RECORDED: 02/10/2004

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