

Form PTO-1594 (Rev. 07/05)
OMB Collection 0651-0027 (exp. 6/30/2008)

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

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies):

PentaSafe Security Technologies, Inc.
Park Towers North
1233 West Loop South, Suite 1800
Houston, Texas 77027

- Individual(s) Association
- General Partnership Limited Partnership
- Corporation- State: Texas
- Other _____

Citizenship (see guidelines) _____

Additional names of conveying parties attached? Yes No

2. Name and address of receiving party(ies)

- Yes
- No

Additional names, addresses, or citizenship attached?

Name: NetIQ Corporation (owns Durham Acquisition Corp.)

Internal

Address: _____

Street Address: 5410 Betsy Ross Drive

City: Santa Clara

State: California

Country: U.S.A. Zip: 95054

- Association Citizenship _____
- General Partnership Citizenship _____
- Limited Partnership Citizenship _____
- Corporation Citizenship Delaware
- Other _____ Citizenship _____

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)

3. Nature of conveyance /Execution Date(s) :

Execution Date(s) 9/30/2002

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

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

U.S. Trademark Registration No. 1,926,323 for SQL<-SECURE

Additional sheet(s) attached? Yes No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

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

Name: Gregg G. Brandon

Internal Address: 25th Floor

Street Address: 1111 Louisiana

City: Houston

State: Texas Zip: 77002

Phone Number: 713-787-1400

Fax Number: 713-787-1440

Email Address: _____

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 40.00

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

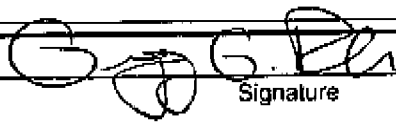
8. Payment Information:

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 01-2508/13601.0013TM

Authorized User Name Gregg G. Brandon

9. Signature:


Signature

9/19/05
Date

Gregg G. Brandon

Name of Person Signing

Total number of pages including cover sheet, attachments, and document: 11

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

CH \$40.00 012508 1926323

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



Gwyn Shea
Secretary of State

Office of the Secretary of State

CERTIFICATE OF MERGER

The undersigned, as Secretary of State of Texas, hereby certifies that the attached articles of merger of

Durham Acquisition Corp.
Foreign Business Corporation
DE, USA
[Entity not of Record, Filing Number Not Available]

Into

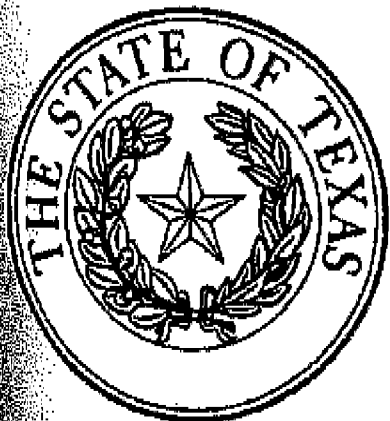
PENTASAFE SECURITY TECHNOLOGIES, INC.
Domestic Business Corporation
[Filing Number: 142924200]

have been filed in this office as of the date of this certificate.

Accordingly, the undersigned, as Secretary of State, and by the virtue of the authority vested in the secretary by law, hereby issues this certificate of merger.

Dated: 11/22/2002

Effective: 12/02/2002 at 12:01 a.m.



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

Gwyn Shea
Secretary of State

PHONE (512) 463-5555
Prepared by: Lisa Sartin

Come visit us on the internet at <http://www.sos.state.tx.us/>
FAX (512) 463-5709

TTY 7-1-1

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FILED
In the Office of the
Secretary of State of Texas
NOV 22 2002

Corporations Section

ARTICLES OF MERGER

Pursuant to the provisions of Article 5.04 of the Texas Business Corporation Act, the undersigned corporations certify the following articles of merger adopted for the purpose of effecting a merger in accordance with the provisions of Part Five of the Texas Business Corporation Act.

1. The name of each of the undersigned corporations which are party to the Agreement and Plan of Merger (the "Plan of Merger") and the laws under which such corporations are organized are:

<u>Name of Corporation</u>	<u>State of Incorporation</u>
PentaSafe Security Technologies, Inc.	Texas
Durham Acquisition Corp.	Delaware

2. The Plan of Merger was approved and adopted in accordance with the provisions of Article 5.03 of the Texas Business Corporation Act providing for the combination of PentaSafe Security Technologies, Inc. and Durham Acquisition Corp. and resulting in PentaSafa Security Technologies, Inc. being the surviving corporation in the merger.

3. An executed copy of the Plan of Merger is on file at the principal place of business of PentaSafe Security Technologies, Inc., Park Towers North, 1233 West Loop South, Suite 1800, Houston, Texas 77027, and a copy of the Plan of Merger will be furnished by such corporation, on written request and without cost, to any shareholder of each domestic corporation that is a party to or created by the Plan of Merger.

4. No amendments to the articles of incorporation of any domestic surviving corporation are to be effected by the merger.

5. The Plan of Merger and the performance of its terms were duly authorized by all action required by the laws under which each domestic corporation and each foreign corporation that is a party to the merger was incorporated and by its constituent documents.

6. As to each of the undersigned corporations, the approval of whose shareholders is required, the number of outstanding shares of each class or series of stock of such corporation entitled to vote, with other shares or as a class, on the Plan of Merger are as follows:

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Name of Corporation	Number of Shares of Capital Stock Outstanding (on an as-converted to Common Stock basis)	Class or Series	Number of Shares Outstanding and Entitled to Vote as a Class or Series
PentaSafe Security Technologies, Inc.	23,615,041.92	Common Stock	15,296,743.92
		Series A Convertible Preferred Stock	2,049,180
		Series B Convertible Preferred Stock	5,244,528
Durham Acquisition Corp.	1,000		

7. As to each of the undersigned corporations, the approval of whose shareholders is required, the number of shares, not entitled to vote only as a class, voted for and against the Plan of Merger, respectively, and, if the shares of any class or series are entitled to vote as a class, the number of shares of each such class or series voted for and against the Plan of Merger, are as follows:

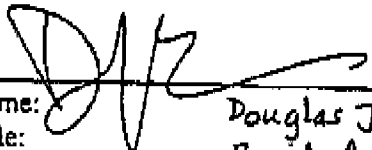
Name of Corporation	Total Voted For	Total Voted Against	Number of Shares Entitled to Vote as a Class or Series		
			Voted For	Voted Against	
PentaSafe Security Technologies, Inc.	22,446,080.32	0	Common Stock	14,579,003.32	0
			Series A Convertible Preferred Stock	1,794,126	0
			Series B Convertible Preferred Stock	5,175,888	0
Durham Acquisition Corp.	1,000	0			

8. The merger will become effective on December 2, 2002 at 12:01 a.m. in accordance with the provisions of Article 10.03 of the Texas Business Corporation Act.

9. The surviving corporation will be responsible for the payment of all fees and franchise taxes of the merged corporation and will be obligated to pay such fees and franchise taxes if the same are not timely paid.

Dated: November 22, 2002.

PENTASAFE SECURITY TECHNOLOGIES, INC.

By: 
Name: Douglas J. Erwin
Title: President & Chief Executive Officer

DURHAM ACQUISITION CORP.

By: _____
Name:
Title:

8. The merger will become effective on December 2, 2002 at 12:01 a.m. in accordance with the provisions of Article 10.03 of the Texas Business Corporation Act.

9. The surviving corporation will be responsible for the payment of all fees and franchise taxes of the merged corporation and will be obligated to pay such fees and franchise taxes if the same are not timely paid.

Dated: November 22, 2002.

PENTASAFE SECURITY TECHNOLOGIES, INC.

By: _____
Name:
Title:

DURHAM ACQUISITION CORP.

By: *J. A. Barth*
Name: James A. Barth
Title: Chief Financial Officer

Delaware

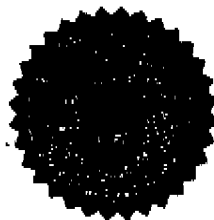
PAGE 1

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 MERGER, WHICH MERGES:

"DURHAM ACQUISITION CORP.", A DELAWARE CORPORATION,
WITH AND INTO "PENTASAFE SECURITY TECHNOLOGIES, INC." UNDER
THE NAME OF "PENTASAFE SECURITY TECHNOLOGIES, INC.", A
CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE
OF TEXAS, AS RECEIVED AND FILED IN THIS OFFICE THE TENTH DAY OF
DECEMBER, 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

3600560 B100M

020756966

AUTHENTICATION: 2136849

DATE: 12-10-02

TRADEMARK

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CERTIFICATE OF MERGER

MERGING

DURHAM ACQUISITION CORP., a Delaware Corporation

INTO

PENTASAFE SECURITY TECHNOLOGIES, INC., a Texas Corporation

**Pursuant to Section 252 of the
Delaware General Corporation Law**

PentaSafe Security Technologies, Inc., a Texas corporation, which desires to merge with Durham Acquisition Corp., a Delaware corporation, hereby certifies that:

1. The constituent corporations of the merger are:

<u>Name</u>	<u>State of Incorporation</u>
Durham Acquisition Corp.	Delaware
PentaSafe Security Technologies, Inc.	Texas

2. An Agreement and Plan of Merger dated as of September 30, 2002 (the "Merger Agreement") between Durham Acquisition Corp. and PentaSafe Security Technologies, Inc. has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with Section 252 of the Delaware General Corporation Law (the "DGCL"), to wit, by Durham Acquisition Corp. in the same manner as is provided in Section 251 of the DGCL and by PentaSafe Security Technologies, Inc. in accordance with the laws of the state of its incorporation.

3. The surviving corporation in the merger herein certified is PentaSafe Security Technologies, Inc., which will continue its existence as said surviving corporation under its present name upon the effective date of said merger pursuant to the provisions of the laws of the state of its incorporation.

4. The merger shall become effective upon the filing of this Certificate of Merger.

5. The Bylaws of PentaSafe Security Technologies, Inc. shall be the Bylaws of the surviving corporation.

6. The Articles of Incorporation of PentaSafe Security Technologies, Inc., as now in force and effect, shall continue to be the Certificate of Incorporation of said surviving corporation until amended and changed pursuant to the provisions of the state of its incorporation.

7. The executed Merger Agreement is on file at the office of the surviving corporation at Park Towers North, 1233 West Loop South, Ste. 1800, Houston, TX 77027.

8. A copy of the Merger Agreement will be furnished by the surviving corporation, on request and without cost, to any stockholder of any constituent corporation.

9. The surviving corporation hereby (i) agrees that it may be served with process in the State of Delaware in any proceeding for enforcement of any obligation of Durham Acquisition Corp., as well as for enforcement of any obligation of said surviving corporation arising from the merger herein certified, including any suit or other proceeding to enforce the right, if any, of any stockholder of Durham Acquisition Corp. as determined in appraisal proceedings pursuant to Section 262 of the DGCL, (ii) irrevocably appoints the Secretary of State of the State of Delaware as its agent to accept service of process in any such suit or other proceedings, and (iii) specifies the following as the address to which a copy of such process shall be mailed by the Secretary of State of the State of Delaware:

PentaSafe Security Technologies, Inc.
Park Towers North
1233 West Loop South
Suite 1800
Houston, TX 77027

IN WITNESS WHEREOF, the undersigned has caused this Certificate of Merger to be duly executed in its corporate name by its duly authorized officer.

Dated: December 9, 2002

PENTASAFE SECURITY
TECHNOLOGIES, INC.

By: 

Name: Douglas J. Erwin
Title: President and Chief
Executive Officer

HOWREY LLP

1111 LOUISIANA, 25TH FLOOR
HOUSTON, TEXAS 77002-5242
PHONE: 713.787.1400 • FAX: 713.787.1440

FACSIMILE COVER SHEET

DATE: September 19, 2005

TO: NAME: Trademark Recordation Form

COMPANY: _____

FAX NUMBER: (571) 273-0140 PHONE NUMBER: _____

CITY: Alexandria

FROM: NAME: Gregg G. Brandon

DIRECT DIAL NUMBER: 713/787-1565 USER ID: _____

NUMBER OF PAGES, INCLUDING COVER: 11 CHARGE NUMBER: 13601.0013.TMUS00

ORIGINAL WILL FOLLOW VIA:

REGULAR MAIL

OVERNIGHT DELIVERY

HAND DELIVERY

OTHER: _____

ORIGINAL WILL NOT FOLLOW

SUPPLEMENTAL MESSAGE:

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL. IT IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

IF THERE ARE ANY QUESTIONS OR PROBLEMS WITH THE TRANSMISSION OF THIS FACSIMILE, PLEASE CALL 713.787.1586.