

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	MERGER
EFFECTIVE DATE:	02/28/2006

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
XO Communications, Inc.		02/28/2006	CORPORATION: DELAWARE

**RECEIVING PARTY DATA**

Name:	XO Communications, LLC
Street Address:	11111 Sunset Hills Road
City:	Reston
State/Country:	VIRGINIA
Postal Code:	20190
Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE

**PROPERTY NUMBERS Total: 2**

Property Type	Number	Word Mark
Registration Number:	2417217	BUSINESSSPEED
Registration Number:	2417216	BUSINESSSPEED

**CORRESPONDENCE DATA**

Fax Number: (202)408-4400  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Phone: 202.408.4000  
 Email: docketing@finnegan.com  
 Correspondent Name: David M. Kelly  
 Address Line 1: Finnegan, Henderson et al.  
 Address Line 2: 901 New York Avenue, N.W.  
 Address Line 4: Washington, DISTRICT OF COLUMBIA 20001

ATTORNEY DOCKET NUMBER:	08169.0999
NAME OF SUBMITTER:	David M. Kelly

OP \$65.00 2417217

Signature:

/David M. Kelly/

Date:

04/26/2006

**Total Attachments: 3**

source=XO comm into XO LLC merger CERT#page1.tif

source=XO comm into XO LLC merger CERT#page2.tif

source=XO comm into XO LLC merger CERT#page3.tif

# 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:

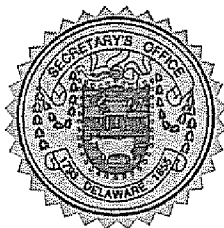
"XO COMMUNICATIONS, INC.", A DELAWARE CORPORATION,

WITH AND INTO "XO COMMUNICATIONS, LLC" UNDER THE NAME OF "XO COMMUNICATIONS, LLC", A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-EIGHTH DAY OF FEBRUARY, A.D. 2006, AT 12 O'CLOCK P.M.

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

4051045 8100M

060194669



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State  
AUTHENTICATION: 4554746

DATE: 02-28-06

TRADEMARK  
REEL: 003297 FRAME: 0352

STATE OF DELAWARE

CERTIFICATE OF MERGER

MERGING

XO COMMUNICATIONS, INC.

INTO

XO COMMUNICATIONS, LLC

Pursuant to the provisions of Section 264 of the Delaware General Corporation Law (the "DGCL") and Section 18-209(c) of the Delaware Limited Liability Company Act (the "Act"), XO Communications, LLC, a Delaware limited liability company, hereby certifies that:

**First:** The name and state of formation or organization of each of the constituent entities (the "Constituent Entities") in the merger herein certified are as follows:

<u>Name</u>	<u>State of Formation or Organization</u>
XO Communications, Inc.	Delaware
XO Communications, LLC	Delaware

**Second:** An agreement and plan of merger (the "Merger Agreement") with respect to the merger herein certified has been approved, adopted, certified, executed and acknowledged by each of the Constituent Entities in accordance with Section 264(c) of the DGCL and Section 18-209(b) of the Act

**Third:** The name of the surviving limited liability company (the "Surviving Entity") of the merger herein certified is XO Communications, LLC

**Fourth:** The merger herein certified shall be effective upon the filing of this Certificate of Merger in the office of the Secretary of State of the State of Delaware.

**Fifth:** The executed Merger Agreement is on file at an office, which is a place of business, of the Surviving Entity. The address of such office and place of business of the Surviving Entity is 11111 Sunset Hills Road, Reston, Virginia 20190.

**Sixth:** A copy of the Merger Agreement will be furnished by the Surviving Entity, on request and without cost, to any stockholder or member (as applicable) of any Constituent Entity.

IN WITNESS WHEREOF, the Surviving Entity has caused this Certificate of Merger to be executed by the undersigned authorized person this 28<sup>th</sup> day of February, 2006.

XO COMMUNICATIONS, LLC

By: /s/William Garrahan \_\_\_\_\_  
Name: William Garrahan  
Title: Acting Chief Financial Officer and  
Senior Vice President