

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	MERGER
EFFECTIVE DATE:	04/06/2004

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Blue Byte Software, Inc.		03/22/2004	CORPORATION: ILLINOIS

**RECEIVING PARTY DATA**

Name:	Red Storm Entertainment, Inc.
Street Address:	3200 Gateway Center
Internal Address:	Suite 100
City:	Morrisville
State/Country:	NORTH CAROLINA
Postal Code:	27511
Entity Type:	CORPORATION: NORTH CAROLINA

**PROPERTY NUMBERS Total: 9**

Property Type	Number	Word Mark
Registration Number:	2132410	ALBION
Registration Number:	2210073	BATTLE ISLE
Registration Number:	2200850	BLUE BYTE
Registration Number:	2157711	EXTREME ASSAULT
Registration Number:	2556925	F13
Registration Number:	2556926	FRIGHTWARE
Registration Number:	2312351	GAME NET & MATCH!
Registration Number:	2132314	THE SETTLERS
Registration Number:	2605390	THE SETTLERS

**CORRESPONDENCE DATA**

Fax Number: (310)226-2422

OP \$240.00 2132410

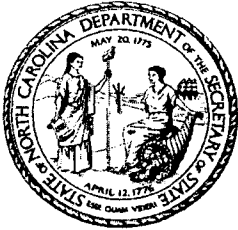
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*

Phone: 3102262420  
Email: danderson@offneranderson.com  
Correspondent Name: David L. Anderson c/o Offner & Anderson  
Address Line 1: 1900 Avenue of the Stars  
Address Line 2: Suite 975  
Address Line 4: Los Angeles, CALIFORNIA 90067

NAME OF SUBMITTER:	David L. Anderson
Signature:	/David L. Anderson/
Date:	11/15/2006

**Total Attachments: 10**

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# NORTH CAROLINA

## Department of The Secretary of State

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To all whom these presents shall come, Greetings:

I, **ELAINE F. MARSHALL**, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

**ARTICLES OF MERGER**

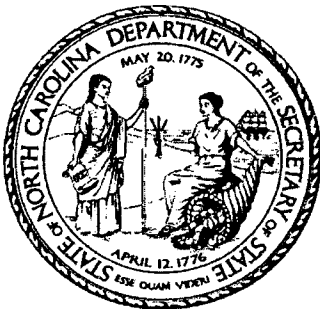
**OF**

**BLUE BYTE SOFTWARE, INC.**

**INTO**

**RED STORM ENTERTAINMENT, INC.**

the original of which was filed in this office on the 6th day of April, 2004.



IN WITNESS WHEREOF, I have hereunto  
set my hand and affixed my official seal at the  
City of Raleigh, this 6th day of April, 2004

*Elaine F. Marshall*

Secretary of State

Document Id: C20040930021

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TRADEMARK  
REEL: 003428 FRAME: 0763

State of North Carolina  
Department of the Secretary of State

ARTICLES OF MERGER  
FOREIGN AND DOMESTIC BUSINESS CORPORATION

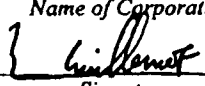
Pursuant to Sections 55-11-05 and 55-11-07 of the General Statutes of North Carolina, the undersigned corporation does hereby submit the following Articles of Merger as the surviving corporation in a merger between a domestic business corporation and one or more foreign business corporations.

1. The name of the surviving corporation is Red Storm Entertainment, Inc.,  
a corporation organized under the laws of North Carolina; the name of the merged corporation  
is Blue Byte Software, Inc., a corporation organized under the laws of  
Illinois.
2. Attached is a copy of the Plan of Merger that was duly approved in the manner prescribed by law by each of the corporations participating in the merger.
3. With respect to the surviving corporation (*check either a or b, as applicable*):  
a.  Shareholder approval was not required for the merger.  
b.  Shareholder approval was required for the merger and the plan of merger was approved by the shareholders as required by Chapter 55 of the North Carolina General Statutes.
4. With respect to the merged corporation (*check either a or b, as applicable*):  
a.  Shareholder approval was not required for the merger.  
b.  Shareholder approval was required for the merger, and the plan of merger was approved by the shareholders as required by Chapter 55 of the North Carolina General Statutes.
5. The merger is permitted by the law of the state or country of incorporation or organization of each foreign entity which is a party.
6. Each foreign entity which is a party has complied or shall comply with the applicable laws of its state or country of incorporation or organization.
7. (*Complete only if applicable – see instructions.*) The mailing address of the surviving foreign corporation  
is: \_\_\_\_\_ . The surviving foreign  
corporation will file a statement of any subsequent change in its mailing address with the North Carolina Secretary of State.
8. These articles will be effective upon filing, unless a delayed date and/or time is specified: \_\_\_\_\_

This is the 22 day of March, 20 04.

Red Storm Entertainment, Inc.

*Name of Corporation*

  
*Signature*

Yves Guillemot, President and CEO

*Type or Print Name and Title*

Notes:

1. Filing fee is \$50. This document must be filed with the Secretary of State.

CORPORATIONS DIVISION  
0622

P. O. BOX 29622

RALEIGH, NC 27626-

(Revised January, 2002)

Form B-

12

**PLAN OF MERGER**  
**OF**  
**BLUE BYTE SOFTWARE, INC.**  
**WITH AND INTO**  
**RED STORM ENTERTAINMENT, INC.**  
**For the State of North Carolina**

Pursuant to this Plan of Merger dated as of March 22, 2004 (the "Plan of Merger"), Blue Byte Software, Inc., a Illinois corporation, shall be merged with and into Red Storm Entertainment, Inc., a North Carolina corporation.

A. *Corporations Participating in Merger.* Blue Byte Software, Inc., an Illinois corporation (the "Merging Corporation"), will merge into Red Storm Entertainment, Inc., a North Carolina corporation. Red Storm Entertainment, Inc. will be the surviving corporation (the "Surviving Corporation").

B. *Name of Surviving Corporation.* After the merger, the Surviving Corporation will have the name "Red Storm Entertainment, Inc."

C. *Merger.* The merger of the Merging Corporation into the Surviving Corporation will be effected pursuant to the terms and conditions of this Plan of Merger. The Merging Corporation and the Surviving Corporation shall cause to be executed and filed in the appropriate office the Articles of Merger in the form required by the applicable laws of the State of North Carolina. The merger will become effective (the "Effective Time") at the time such filing has been made. Upon the merger becoming effective, the corporate existence of the Merging Corporation will cease, and the corporate existence of the Surviving Corporation will continue.

D. *Conversion of Shares.* Each outstanding share of Common Stock of Merging Corporation shall be converted to one share of Common Stock of Surviving Corporation.

E. *Articles of Incorporation, Bylaws, Board of Directors and Officers.*

1. Articles of Incorporation. The Articles of Incorporation of the Surviving Corporation immediately prior to the Effective Time shall be the Articles of Incorporation at the Effective Time and may be amended from time to time after the Effective Time as provided by law.

2. Bylaws. The Bylaws of the Surviving Corporation as in force and effect immediately prior to the Effective Time will be the Bylaws of the Surviving Corporation until the same shall thereafter be altered, amended or repealed in accordance with applicable law, the Articles of Incorporation or the Bylaws.

3. Directors and Officers. The members of the board of directors and the officers of the Surviving Corporation immediately prior to the Effective Time will remain the board of directors and officers of the Surviving Corporation after the Effective Time.

F. *Amendments to Certificate of Incorporation.* The Articles of Incorporation of the Surviving Corporation shall not be amended by this Plan.



## OFFICE OF THE SECRETARY OF STATE

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JESSE WHITE • Secretary of State

APRIL 7, 2004

5854-959-2

OFFNER & ANDERSON, P.C.  
JENNIFER STUMP  
2049 CENTURY PARK EAST #2450  
LOS ANGELES CA 90067

RE BLUE BYTE SOFTWARE, INC.

DEAR SIR OR MADAM:

ENCLOSED YOU WILL FIND ARTICLES OF MERGER REGARDING THE ABOVE CORPORATION. THE FILING FEE HAS BEEN RECEIVED AND CREDITED.

THIS DOCUMENT MUST BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY IN WHICH THE REGISTERED OFFICE OF THE MERGING CORPORATION IS LOCATED.

SINCERELY,

*Jesse White*

JESSE WHITE  
SECRETARY OF STATE  
DEPARTMENT OF BUSINESS SERVICES  
CORPORATION DIVISION  
TELEPHONE (217) 782-6961

FORM **BCA 11.25** (rev. Dec. 2003)  
**ARTICLES OF MERGER,  
CONSOLIDATION OR EXCHANGE**  
Business Corporation Act

Jesse White, Secretary of State  
Department of Business Services  
Springfield, IL 62756  
Telephone (217) 782-6961  
www.cyberdriveillinois.com

Remit payment in the form of a  
check or money order payable  
to the Secretary of State.

**FILED**

**APR 07 2004**

JESSE WHITE  
SECRETARY OF STATE

The filing fee is \$100, but if merger or  
consolidation involves more than 2  
corporations, \$50 for each additional  
corporation.

File # 5854-959-2 Filing Fee: \$ 100.00 Approved: lt  
Submit in duplicate Type or Print clearly in black ink Do not write above this line

NOTE: Strike inapplicable words in items 1, 3 and 4.

1. Names of the corporations proposing to ~~consolidate~~ <sup>merge</sup> , and the state or country of their incorporation:  
~~exchange shares~~

Name of Corporation	State or Country of Incorporation	Corporation File Number
<u>Blue Byte Software, Inc.</u>	<u>Illinois</u>	<u>58549592</u>
<u>Red Storm Entertainment, Inc.</u>	<u>North Carolina</u>	<u>0395823</u>
_____	_____	_____
_____	_____	_____

2. The laws of the state or country under which each corporation is incorporated permits such merger, consolidation or exchange.

3. (a) Name of the ~~new~~ <sup>surviving</sup> corporation: Red Storm Entertainment, Inc.  
~~acquiring~~
- (b) it shall be governed by the laws of: North Carolina

If not sufficient space to cover this point, add one or more sheets of this size.

4. Plan of ~~consolidation~~ <sup>merger</sup> is as follows:  
~~exchange~~

Please see attached Plan of Merger.



5. Plan of ~~consolidation~~ <sup>merger</sup> ~~exchange~~ was approved, as to each corporation not organized in Illinois, in compliance with the laws of the state under which it is organized, and (b) as to each Illinois corporation, as follows:

*(The following items are not applicable to mergers under §11.30 — 90% owned subsidiary provisions. See Article 7.)*

*(Only "X" one box for each Illinois corporation)*

By the shareholders, a resolution of the board of directors having been duly adopted and submitted to a vote at a meeting of shareholders. Not less than the minimum number of votes required by statute and by the articles of incorporation voted in favor of the action taken.

(§ 11.20)

By written consent of the shareholders having not less than the minimum number of votes required by statute and by the articles of incorporation. Shareholders who have not consented in writing have been given notice in accordance with § 7.10 (§ 11.20)

By written consent of ALL the shareholders entitled to vote on the action, in accordance with § 7.10 & § 11.20

Name of Corporation

<u>Name of Corporation</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Blue Byte Software, Inc.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. *(Not applicable if surviving, new or acquiring corporation is an Illinois corporation)*

It is agreed that, upon and after the issuance of a certificate of merger, consolidation or exchange by the Secretary of State of the State of Illinois:

- The surviving, new or acquiring corporation may be served with process in the State of Illinois in any proceeding for the enforcement of any obligation of any corporation organized under the laws of the State of Illinois which is a party to the merger, consolidation or exchange and in any proceeding for the enforcement of the rights of a dissenting shareholder of any such corporation organized under the laws of the State of Illinois against the surviving, new or acquiring corporation.
- The Secretary of State of the State of Illinois shall be and hereby is irrevocably appointed as the agent of the surviving, new or acquiring corporation to accept service of process in any such proceedings, and
- The surviving, new, or acquiring corporation will promptly pay to the dissenting shareholders of any corporation organized under the laws of the State of Illinois which is a party to the merger, consolidation or exchange the amount, if any, to which they shall be entitled under the provisions of "The Business Corporation Act of 1983" of the State of Illinois with respect to the rights of dissenting shareholders.

7. (Complete this item if reporting a merger under § 11.30—90% owned subsidiary provisions.)

a. The number of outstanding shares of each class of each merging subsidiary corporation and the number of such shares of each class owned immediately prior to the adoption of the plan of merger by the parent corporation, are:

Name of Corporation	Total Number of Shares Outstanding of Each Class	Number of Shares of Each Class Owned Immediately Prior to Merger by the Parent Corporation
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

b. (Not applicable to 100% owned subsidiaries)  
 The date of mailing a copy of the plan of merger and notice of the right to dissent to the shareholders of each merging subsidiary corporation was \_\_\_\_\_, \_\_\_\_\_.  
 (Month & Day) (Year)

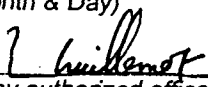
Was written consent for the merger or written waiver of the 30-day period by the holders of all the outstanding shares of all subsidiary corporations received?  Yes  No

(If the answer is "No," the duplicate copies of the Articles of Merger may not be delivered to the Secretary of State until after 30 days following the mailing of a copy of the plan of merger and of the notice of the right to dissent to the shareholders of each merging subsidiary corporation.)

8. The undersigned corporations have caused these articles to be signed by their duly authorized officers, each of whom affirms, under penalties of perjury, that the facts stated herein are true. (All signatures must be in **BLACK INK.**)

Dated March 22, 2004  
 (Month & Day) (Year)


Red Storm Entertainment, Inc.  
 (Exact Name of Corporation)

  
 (Any authorized officer's signature)

Yves Guillemot, President  
 (Type or Print Name and Title)

Dated March 22, 2004  
 (Month & Day) (Year)

Blue Byte Software, Inc.  
 (Exact Name of Corporation)

  
 (Any authorized officer's signature)

Laurent Detoc, VP and Secretary  
 (Type or Print Name and Title)

Dated \_\_\_\_\_, \_\_\_\_\_  
 (Month & Day) (Year)

\_\_\_\_\_  
 (Exact Name of Corporation)

\_\_\_\_\_  
 (Any authorized officer's signature)

\_\_\_\_\_  
 (Type or Print Name and Title)

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F. *Amendments to Certificate of Incorporation.* The Articles of Incorporation of the Surviving Corporation shall not be amended by this Plan.