

Form PTO-1594 (Rev. 08/08)  
 OMB Collection 0651-0027 (exp. 9/30/2008)

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):**

Innovative Fluidics, Inc.

- Individual(s)                       Association  
 General Partnership               Limited Partnership  
 Corporation- State: Delaware  
 Other \_\_\_\_\_

Citizenship (see guidelines) USA

Additional names of conveying parties attached?  Yes  No

**2. Name and address of receiving party(ies)**

Additional names, addresses, or citizenship attached?  Yes  
 No

Name: Nuventix, Inc.

Internal

Address: \_\_\_\_\_

Street Address: 4635 Boston Lane

City: Austin

State: Texas

Country: USA Zip: 78735

- Association    Citizenship \_\_\_\_\_  
 General Partnership    Citizenship \_\_\_\_\_  
 Limited Partnership    Citizenship \_\_\_\_\_  
 Corporation    Citizenship USA  
 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) 3 November 2006

- 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)

78/605,020 and 78/605,040

B. Trademark Registration No.(s)

Additional sheet(s) attached?  Yes  No

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

VIBE and VIDA, respectively

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

Name: Randolph B. Houston, Jr.

Internal Address: \_\_\_\_\_

Street Address: 9442 N. Capital of Texas Hwy.

Building 1, Suite 500

City: Austin

State: TX Zip: 78759

Phone Number: (512) 343-4539

Fax Number: (512) 343-4530

Email Address: rhouston@fchology.com

**6. Total number of applications and registrations involved:**

2

**7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 80.00**

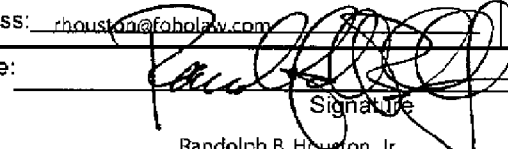
- Authorized to be charged to deposit account  
 Enclosed

**8. Payment Information:**

Deposit Account Number 50-3694

Authorized User Name Randolph B. Houston, Jr.

**9. Signature:**

  
 \_\_\_\_\_  
 Signature

10 September 2008

Date

Randolph B. Houston, Jr.  
 Name of Person Signing

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

4

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 \$65.00 503694 78605020

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 01:35 PM 12/05/2006  
FILED 01:26 PM 12/05/2006  
SERV 061108043 - 3992612 FILE

**INNOVATIVE FLUIDICS, INC.  
(to be renamed NUVENTIX, INC.)**

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

Innovative Fluidics, Inc., a corporation organized and existing under the laws of the State of Delaware (the "*Corporation*"), **HEREBY CERTIFIES:**

**FIRST:** That the Corporation was originally incorporated pursuant to the DGCL on June 28, 2005, under the name of Innovative Fluidics, Inc.;

**SECOND:** That the Board of Directors duly adopted resolutions proposing to amend the Corporation's Amended and Restated Certificate of Incorporation (the "*Certificate*") as follows below, declaring said amendment to be advisable and in the best interests of the Corporation and its stockholders, and authorizing the appropriate officers of the Corporation to solicit the consent of the stockholders therefor; and

**THIRD:** That the following amendment was duly adopted and approved in accordance with the provisions of Sections 228 and 242 of the General Corporation Law of the State of Delaware by the written consent of the required percentage of stockholders of the Corporation on November 3, 2006:

Article I of the Certificate is amended and restated to read in its entirety as follows:

"The name of this corporation is Nuventix, Inc. (the "*Corporation*")."

**IN WITNESS WHEREOF**, the undersigned officer has executed this Certificate of Amendment to the Amended and Restated Certificate of Incorporation of Innovative Fluidics, Inc. (renamed Nuventix, Inc.) this 3rd day of November, 2006.

By: 

James A. Balthazar  
President and Chief Executive Officer

AUS-586366.1

TRADEMARK  
REEL: 003850 FRAME: 0643

# Delaware

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*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 "INNOVATIVE FLUIDICS, INC.", CHANGING ITS NAME FROM "INNOVATIVE FLUIDICS, INC." TO "NOVENTIX, INC.", FILED IN THIS OFFICE ON THE FIFTH DAY OF DECEMBER, A.D. 2006, AT 1:26 O'CLOCK P.M.

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



3992612 8100

061108043

*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 5248923

DATE: 12-05-06