

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	CHANGE OF NAME

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Acorn Systems, Inc.		02/09/2010	CORPORATION: DELAWARE

**RECEIVING PARTY DATA**

Name:	Acorn Performance Group, Inc.
Street Address:	3050 Post Oak Boulevard
Internal Address:	Suite 800
City:	Houston
State/Country:	TEXAS
Postal Code:	77056
Entity Type:	CORPORATION: DELAWARE

**PROPERTY NUMBERS Total: 7**

Property Type	Number	Word Mark
Registration Number:	3231916	THE PROFIT IMPROVEMENT COMPANY
Registration Number:	3276718	ACORN PERFORMANCE ANALYZER
Registration Number:	2996155	COST EQUATIONS
Registration Number:	2762978	ENTERPRISE PROFIT SYSTEM
Registration Number:	2889739	BUSINESS PROFITABILITY ASSURANCE
Registration Number:	2830950	PROFIT OPTIMIZER
Registration Number:	3128305	ACORN SYSTEMS

**CORRESPONDENCE DATA**

Fax Number: (214)745-5390  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Phone: 2147455226  
 Email: awalker@winstead.com  
 Correspondent Name: Andrea Walker, Winstead PC  
 Address Line 1: P.O. Box 50784

CH \$190.00 3231916

**900155079**

**TRADEMARK  
 REEL: 004151 FRAME: 0863**

Address Line 4: Dallas, TEXAS 75250-0784

ATTORNEY DOCKET NUMBER:	39140-1 NAME CHANGE
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NAME OF SUBMITTER:	Andrea Walker
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Signature:	/Andrea Walker/
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Date:	02/18/2010
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**Total Attachments: 3**

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# Delaware

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*The First State*

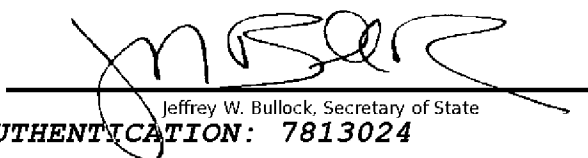
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "ACORN SYSTEMS, INC.", CHANGING ITS NAME FROM "ACORN SYSTEMS, INC." TO "ACORN PERFORMANCE GROUP, INC.", FILED IN THIS OFFICE ON THE NINTH DAY OF FEBRUARY, A.D. 2010, AT 5:10 O'CLOCK P.M.

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

3354801 8100

100126835



  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 7813024

DATE: 02-16-10

You may verify this certificate online  
at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

TRADEMARK  
REEL: 004151 FRAME: 0865

# Delaware

PAGE 1

*The First State*

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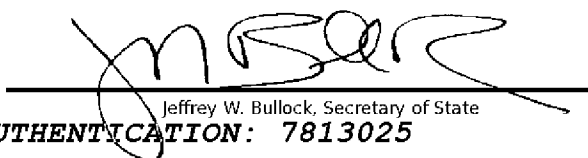
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at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 7813025

DATE: 02-16-10

TRADEMARK  
REEL: 004151 FRAME: 0866

**CERTIFICATE OF SECOND AMENDMENT**  
**OF THE**  
**THIRD AMENDED AND RESTATED CERTIFICATE OF INCORPORATION**  
**OF**  
**ACORN SYSTEMS, INC.**

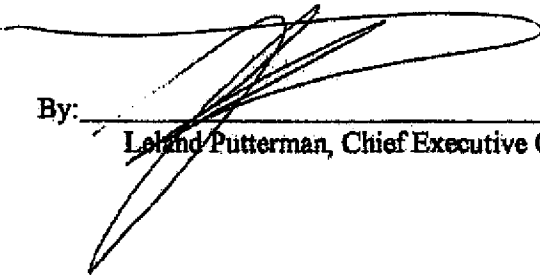
Acorn Systems, Inc., a corporation organized and existing under the laws of the State of Delaware (the "**Corporation**"), hereby certifies as follows:

1. The name of the Corporation is Acorn Systems, Inc. The corporation was duly incorporated in the State of Delaware on March 5, 2001.
2. This Second Amendment of the Third Amended and Restated Certificate of Incorporation has been approved by written consent in accordance with Sections 141, 228 and 242 of the General Corporation Law of the State of Delaware and amends Article I by replacing the existing Article I with the following Article I:

"The name of the Corporation (herein called the "**Corporation**") is  
**ACORN PERFORMANCE GROUP, INC.**"

3. This Certificate of Amendment shall become effective immediately upon its filing with and acceptance by the Secretary of State of the State of Delaware.

**IN WITNESS WHEREOF**, the undersigned, being the Chief Executive Officer of the Corporation hereinabove named, has executed this Certificate of Second Amendment to the Third Amended and Restated Certificate of Incorporation on behalf of Acorn Systems, Inc. on this 2<sup>nd</sup> day of February, 2010.

By:   
Leland Putterman, Chief Executive Officer