

## TRADEMARK ASSIGNMENT

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Change of Ownership Information		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
SoftLayer Technologies, Inc.	FORMERLY Texas	01/14/2011	CORPORATION: DELAWARE
RECEIVING PARTY DATA			
Name:	SoftLayer Technologies, Inc.		
Street Address:	4849 Alpha Road		
City:	Dallas		
State/Country:	TEXAS		
Postal Code:	75244		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	3707814	STORAGELAYER	
CORRESPONDENCE DATA			
Fax Number:	(214)442-0612		
Phone:	214-782-7716		
Email:	ckanu@softlayer.com		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>			
Correspondent Name:	Chinenye A. Kanu		
Address Line 1:	4849 Alpha Road		
Address Line 4:	Dallas, TEXAS 75244		
NAME OF SUBMITTER:	Chinenye/A/Kanu		
Signature:	Chinenye/A/Kanu		
Date:	01/31/2012		
Total Attachments: 6			

OP \$40.00 3707814

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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 MERGER, WHICH MERGES:


"SOFTLAYER TECHNOLOGIES, INC.", A TEXAS CORPORATION,  
WITH AND INTO "THEPLANET.COM INTERNET SERVICES, INC." UNDER THE NAME OF "SOFTLAYER TECHNOLOGIES, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE FOURTEENTH DAY OF JANUARY, A.D. 2011, AT 9:02 O'CLOCK A.M.

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

3009084 8100M

110043900



  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 8496078

DATE: 01-14-11

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

TRADEMARK  
REEL: 004708 FRAME: 0260

CERTIFICATE OF MERGER

OF

SOFTLAYER TECHNOLOGIES, INC.,  
a Texas corporation,

WITH AND INTO

THEPLANET.COM INTERNET SERVICES, INC.,  
a Delaware corporation

*(Under Section 252 of the General Corporation Law of the State of Delaware)*

Pursuant to Section 252(a) of the General Corporation Law of the State of Delaware (the "DGCL"), ThePlanet.com Internet Services, Inc., a Delaware corporation (the "Planet"), in connection with the merger (the "Merger") of SoftLayer Technologies, Inc., a Texas corporation ("SoftLayer"), with and into the Planet, hereby certifies as follows:

FIRST: The names and states of incorporation of the constituent corporations to the Merger (the "Constituent Corporations") are:

<u>Name</u>	<u>State of Incorporation</u>
ThePlanet.com Internet Services, Inc.	Delaware
SoftLayer Technologies, Inc.	Texas

SECOND: A Plan of Merger, dated as of January 14, 2011 (the "Plan of Merger"), by and between the Constituent Corporations, has been approved, adopted, executed and acknowledged by each of the Constituent Corporations in accordance with Sections 228 and 252 of the DGCL.

THIRD: The Planet shall be the surviving corporation in the Merger. The name of the surviving corporation shall be SoftLayer Technologies, Inc.

FOURTH: The certificate of incorporation of the Planet shall be amended and restated upon the effectiveness of the Merger to read in its entirety as set forth on Exhibit A hereto, and as so amended and restated shall be the certificate of incorporation of the surviving corporation.

FIFTH: The Merger shall become effective upon the filing of this Certificate of Merger with the Secretary of State of the State of Delaware.

SIXTH: An executed copy of the Plan of Merger is on file at the office of the surviving corporation at:

4849 Alpha Road  
Dallas, TX 75244

SEVENTH: A copy of the Plan of Merger will be furnished by the surviving corporation, on request and without cost, to any stockholder of either of the Constituent Corporations.

\* \* \* \* \*

IN WITNESS WHEREOF, the undersigned, for the purpose of effectuating the Merger of the Constituent Corporations, pursuant to the DGCL under penalties of perjury, does hereby declare and certify that this is the act and deed of the Company and the facts stated herein are true and accordingly has hereunto signed this Certificate of Merger this 14<sup>th</sup> day of January, 2011.

THEPLANET.COM INTERNET SERVICES, INC.,  
a Delaware corporation

By: /s/ Lance T. Crosby  
Name: Lance T. Crosby  
Its: Chief Executive Officer

**FIFTH AMENDED AND RESTATED CERTIFICATE OF INCORPORATION  
OF  
SOFTLAYER TECHNOLOGIES, INC.**

**ARTICLE ONE**

The name of the corporation is SoftLayer Technologies, Inc.

**ARTICLE TWO**

The address of the corporation's registered office in the State of Delaware is 1209 Orange Street, in the City of Wilmington, County of New Castle, Delaware 19801. The name of its registered agent at such address is The Corporation Trust Company.

**ARTICLE THREE**

The nature of the business or purposes to be conducted or promoted is to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of the State of Delaware.

**ARTICLE FOUR**

The total number of shares of stock which the corporation has authority to issue is one thousand (1,000) shares of Common Stock, with a par value of \$0.001 per share.

**ARTICLE FIVE**

The corporation is to have perpetual existence.

## **ARTICLE SIX**

In furtherance and not in limitation of the powers conferred by statute, the board of directors of the corporation is expressly authorized to make, alter or repeal the by-laws of the corporation.

## **ARTICLE SEVEN**

Meetings of stockholders may be held within or without the State of Delaware, as the by-laws of the corporation may provide. The books of the corporation may be kept outside the State of Delaware at such place or places as may be designated from time to time by the board of directors or in the by-laws of the corporation. Election of directors need not be by written ballot unless the by-laws of the corporation so provide.

## **ARTICLE EIGHT**

To the fullest extent permitted by the General Corporation Law of the State of Delaware as the same exists or may hereafter be amended, a director of this corporation shall not be liable to the corporation or its stockholders for monetary damages for a breach of fiduciary duty as a director. Any repeal or modification of this ARTICLE EIGHT shall not adversely affect any right or protection of a director of the corporation existing at the time of such repeal or modification.

## **ARTICLE NINE**

The corporation expressly elects not to be governed by Section 203 of the General Corporation Law of the State of Delaware.

## **ARTICLE TEN**

The corporation reserves the right to amend, alter, change or repeal any provision contained in this certificate of incorporation in the manner now or hereafter prescribed herein and by the laws of the State of Delaware, and all rights conferred upon stockholders herein are granted subject to this reservation.