

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	MERGER
EFFECTIVE DATE:	03/12/2008

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Service Management Partners		03/12/2008	CORPORATION: DELAWARE

RECEIVING PARTY DATA

Name:	BMC Software, Inc.
Street Address:	2101 CityWest Blvd.
City:	Houston
State/Country:	TEXAS
Postal Code:	77042
Entity Type:	CORPORATION: DELAWARE

PROPERTY NUMBERS Total: 2

Property Type	Number	Word Mark
Registration Number:	3109232	ALIGNABILITY
Registration Number:	3157161	A

CORRESPONDENCE DATA

Fax Number: 7139181110
Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.
 Phone: 713-918-4441
 Email: marlette_clouser@bmc.com
 Correspondent Name: Marlette F. Clouser
 Address Line 1: 2101 CityWest Blvd.
 Address Line 4: Houston, TEXAS 77042

ATTORNEY DOCKET NUMBER:	ALIGNABILITY
NAME OF SUBMITTER:	Marlette F. Clouser

Signature:	/Marlette F. Clouser/
Date:	08/29/2012
Total Attachments: 4 source=Service Management Partners (SMP) Certificate of Merger - March 12 2008#page1.tif source=Service Management Partners (SMP) Certificate of Merger - March 12 2008#page2.tif source=Service Management Partners (SMP) Certificate of Merger - March 12 2008#page3.tif source=Service Management Partners (SMP) Certificate of Merger - March 12 2008#page4.tif	

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 OWNERSHIP, WHICH MERGES:

"SERVICE MANAGEMENT PARTNERS, INC.", A DELAWARE CORPORATION, WITH AND INTO "BMC SOFTWARE, INC." UNDER THE NAME OF "BMC SOFTWARE, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWELFTH DAY OF MARCH, A.D. 2008, AT 6:49 O'CLOCK P.M.

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

2165371 8100M

080310796



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 6462019

DATE: 03-19-08

You may verify this certificate online
at corp.delaware.gov/authver.shtml

TRADEMARK
REEL: 004852 FRAME: 0517

CERTIFICATE OF OWNERSHIP AND MERGER

MERGING

SERVICE MANAGEMENT PARTNERS, INC.

(a Delaware corporation)

into

BMC SOFTWARE, INC.

(a Delaware corporation)

**(PURSUANT TO SECTION 253 OF THE DELAWARE
GENERAL CORPORATION LAW)**

BMC Software, Inc., a corporation organized and existing under the laws of the State of Delaware (the "Company"), does hereby certify:

1. The Company was incorporated on the 29th day of June, 1988, under the name BMC Software, Inc. pursuant to the Delaware General Corporation Law.
2. The Company is the owner of at least 90% of the outstanding shares of each class of the capital stock of Service Management Partners, Inc., a Delaware corporation (the "Subsidiary").
3. The Company, by the following resolutions adopted on February 1, 2008, by the Board of Directors of the Company, merges the Subsidiary into the Company effective immediately upon filing of this document.

SHORT-FORM MERGER WITH SUBSIDIARY

WHEREAS, the Company owns all outstanding shares of capital stock of the Subsidiary.

WHEREAS, the Board deems it in the best interest of the Company to merge the Subsidiary into the Company in accordance with the provisions applicable to short form mergers set forth in the Delaware General Corporation Law.

NOW, THEREFORE, BE IT RESOLVED, that the Company shall merge the Subsidiary into itself and assume all of the Subsidiary's liabilities and obligations in accordance with provisions contained in the Delaware General Corporation Law;

RESOLVED FURTHER, that the proper officers of the Company be, and each of them hereby is, authorized and empowered to execute and acknowledge a

Certificate of Ownership and Merger (the "Certificate"), setting forth a copy of the resolutions to merge the Subsidiary into the Company and to file the Certificate with the Delaware Secretary of State;

RESOLVED FURTHER, that the proper officers of the Company be, and each of them hereby is, authorized and empowered to execute and acknowledge such forms and documents pertaining to the withdrawal of qualification to do business as a foreign corporation of the Subsidiary in any jurisdiction in which the Subsidiary is so qualified.


GENERAL AUTHORITY AND RATIFICATION

RESOLVED FURTHER, that the proper officers of the Company be, and each of them hereby is, authorized and empowered, in the name of and on behalf of the Company, to prepare or cause to be prepared and to execute, deliver, verify, acknowledge, file or record any documents, instruments, certificates, statements, papers, or any amendments thereto, as may be deemed necessary or advisable in order to effectuate the transactions contemplated by the actions approved herein, and to take such further steps and do all such further acts or things as shall be necessary or desirable to carry out the transactions contemplated by the foregoing resolutions; and

RESOLVED FURTHER, that all acts and deeds previously performed by the proper officers of the Company prior to the date of these resolutions that are within the authority conferred hereby, are ratified, confirmed and approved in all respects as the authorized acts and deeds of the Company.

Executed on March 12, 2008.

BMC Software, Inc.

By: 
Christopher C. Chaffin
Vice President, Deputy General Counsel
and Assistant Secretary

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