# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 ETAS ID: TM392134 Stylesheet Version v1.2

**SUBMISSION TYPE: NEW ASSIGNMENT NATURE OF CONVEYANCE: MERGER EFFECTIVE DATE:** 12/31/2015

# **CONVEYING PARTY DATA**

| Name                           | Formerly | Execution Date | Entity Type           |
|--------------------------------|----------|----------------|-----------------------|
| SOUNDBITE COMMUNICATIONS, INC. |          | 12/15/2015     | Corporation: DELAWARE |

### **RECEIVING PARTY DATA**

| Name:           | GENESYS TELECOMMUNICATIONS LABORATORIES, INC. |  |  |
|-----------------|---|--|--|
| Street Address: | 2001 Junipero Serra Blvd.                     |  |  |
| City:           | Daly City                                     |  |  |
| State/Country:  | CALIFORNIA                                    |  |  |
| Postal Code:    | 94014   |  |  |
| Entity Type:    | Corporation: CALIFORNIA                       |  |  |

### **PROPERTY NUMBERS Total: 1**

| Property Type        | Number  | Word Mark |
|----------------------|---------|-----------|
| Registration Number: | 2791788 | SOUNDBITE |

# **CORRESPONDENCE DATA**

Fax Number: 6265778800

Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.

Phone: 626-795-9900 Email: pto@lrrc.com

LEWIS ROCA ROTHGERBER CHRISTIE LLP **Correspondent Name:** 

Address Line 1: P.O. Box 29001

Address Line 4: Glendale, CALIFORNIA 91209

| ATTORNEY DOCKET NUMBER: | 73910.405240    |
|-------------------------|-----------------|
| NAME OF SUBMITTER:      | Stacey Dawson   |
| SIGNATURE:              | /Stacey Dawson/ |
| DATE SIGNED:            | 07/20/2016      |

# **Total Attachments: 4**

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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 OWNERSHIP, WHICH MERGES:

"SOUNDBITE COMMUNICATIONS, INC.", A DELAWARE CORPORATION, WITH AND INTO "GENESYS TELECOMMUNICATIONS LABORATORIES, INC." UNDER THE NAME OF "GENESYS TELECOMMUNICATIONS LABORATORIES, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF CALIFORNIA, AS RECEIVED AND FILED IN THIS OFFICE ON THE TWENTY-SECOND DAY OF DECEMBER, A.D. 2015, AT 6:11 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF DECEMBER, A.D. 2015.

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

Authentication: 10691865

Date: 12-28-15

State of Delaware
Secretary of State
Division of Corporations
Delivered 06:11 PM 12:22:2015
FILED 06:11 PM 12:22:2015
SR 20151500536 - File Number 5914993

#### CERTIFICATE OF OWNERSHIP AND MERGER

### FOR THE MERGER OF

# SOUNDBITE COMMUNICATIONS, INC.

#### WITH AND INTO

# Pursuant to Section 253 of the General Corporation Law of the State of Delaware

December 15, 2015

The undersigned corporation, organized and existing under and by virtue of the California Corporations Code (the "CCC"), does hereby certify:

FIRST: That the name and state or jurisdiction of incorporation of each of the constituent corporations in the merger is as follows:

Name Jurisdiction of Incorporation

SOUNDBITE COMMUNICATIONS, INC. Delaware GENESYS TELECOMMUNICATIONS California

GENESYS TELECOMMUNICATIONS LABORATORIES, INC.

SECOND: GENESYS TELECOMMUNICATIONS LABORATORIES, INC. ("Genesys") owns 100% of the outstanding shares of the capital stock of SOUNDBITE COMMUNICATIONS, INC. ("SoundBite").

<u>THIRD</u>: The Board of Directors of Genesys, by the following resolutions duly adopted on the date hereof, determined to merge SoundBite with and into Genesys pursuant to Section 253 of the General Corporation Law of the State of Delaware ("<u>DGCL</u>") and Section 1110 of the CCC:

WHEREAS, Genesys Telecommunications Laboratories, Inc., a California corporation ("Genesys") owns 100% of the outstanding shares of the capital stock of SoundBite Communications, Inc., a Delaware corporation ("SoundBite"); and

WHEREAS, the Board has deemed it advisable and in the best interests of Genesys that SoundBite be merged with and into Genesys pursuant to Section 253 of the DGCL and Section 1110 of the CCC, with Genesys remaining as the surviving corporation.

NOW THEREFORE IT HEREBY IS:

TRADEMARK<sup>80481271</sup> REEL: 005840 FRAME: 0557 RESOLVED, that Genesys merge SoundBite, its wholly-owned subsidiary corporation, into itself (the "Merger") and assume all its obligations pursuant to Section 253 of the DGCL and Section 1110 of the CCC; and

FURTHER RESOLVED, that each of the officers of Genesys (the "Authorized Persons") be, and each Authorized Person hereby is, authorized and directed, in the name and on behalf of Genesys, to execute and deliver a certificate of ownership and merger and to file the same in the office of the Secretary of State of the State of Delaware and a certificate of ownership and to file the same in the office of the Secretary of State of California, each for the purpose of effecting the Merger, and to do all other acts and things that may be necessary to carry out and effectuate the purpose and intent of the matters referred to herein.

<u>FOURTH</u>: That the name of the surviving corporation of the merger is GENESYS TELECOMMUNICATIONS LABORATORIES, INC. (the "<u>Surviving Corporation</u>").

FIFTH: The Certificate of Incorporation of Genesys in effect immediately prior to the Effective Time (defined below) shall be the Certificate of Incorporation of the Surviving Corporation.

SIXTH: This Certificate of Ownership and Merger shall become effective as of December 31, 2015 (the "Effective Time").

SEVENTH. The Surviving Corporation agrees that it may be served with process in the State of Delaware in any proceeding for enforcement of any obligation of the Surviving Corporation arising form this merger, including any suit or other proceeding to enforce the rights of any stockholders as determined in appraisal proceedings pursuant to the provisions of Section 262 of the DGCL, and irrevocably appoints the Secretary of State of the State of Delaware as its agent to accept services of process in any such suit or proceeding. The Secretary of State of the State of Delaware shall mail any such process to the Surviving Corporation at 2001 Junipero Serra Blvd., Daly City, California 94014.

[Signature Page Follows]

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IN WITNESS WHEREOF, GENESYS TELECOMMUNICATIONS LABORATORIES, INC. has caused this Certificate of Ownership and Merger to be executed by its duly authorized officer as of the date first written above.

GENESYS TELECOMMUNICATIONS LABORATORIES, INC.

By:

Name: Mark Alloy Title: Treasurer

Signature page to Delaware Certificate of Ownership and Merger

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**RECORDED: 07/20/2016**