

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM565804

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	CHANGE OF NAME		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
MOGL Loyalty Services, Inc.		04/26/2016	Corporation: DELAWARE
RECEIVING PARTY DATA			
Name:	EMPYR INCORPORATED		
Street Address:	9645 Scranton Rd., Suite 110		
City:	San Diego		
State/Country:	CALIFORNIA		
Postal Code:	92121		
Entity Type:	Corporation: DELAWARE		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	5525202	EMPYR	
CORRESPONDENCE DATA			
Fax Number:	9169307903		
<i>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.</i>			
Phone:	916.930.3263		
Email:	carolanne.bashir@us.dlapiper.com		
Correspondent Name:	Carissa L. Bouwer, Esq.		
Address Line 1:	400 Capitol Mall, Suite 2400		
Address Line 4:	Sacramento, CALIFORNIA 95814-4428		
ATTORNEY DOCKET NUMBER:	426398-4		
NAME OF SUBMITTER:	Carissa L. Bouwer		
SIGNATURE:	/Carissa Bouwer/		
DATE SIGNED:	03/06/2020		
Total Attachments: 4			
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Page 1

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 "MOGL LOYALTY SERVICES, INC.", CHANGING ITS NAME FROM "MOGL LOYALTY SERVICES, INC." TO "EMPYR INCORPORATED", FILED IN THIS OFFICE ON THE TWENTY-SIXTH DAY OF APRIL, A.D. 2016, AT 5:44 O`CLOCK P.M.

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




Jeffrey W. Bullock, Secretary of State

4922908 8100
SR# 20162586314

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

Authentication: 202217458
Date: 04-27-16

TRADEMARK
REEL: 006884 FRAME: 0949

CERTIFICATE OF AMENDMENT TO THE

AMENDED AND RESTATED CERTIFICATE OF INCORPORATION

OF

MOGL LOYALTY SERVICES, INC.

MOGL LOYALTY SERVICES, INC. (the "**Corporation**"), a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "**DGCL**"), does hereby certify that:

1. The name of the Corporation is MOGL Loyalty Services, Inc. The date of filing of the Corporation's original Certificate of Incorporation with the Secretary of State of the State of Delaware was January 19, 2011.
2. Pursuant to Section 242 of the DGCL, this Certificate of Amendment to the Amended and Restated Certificate of Incorporation further amends the provisions of the Corporation's Amended and Restated Certificate of Incorporation.
3. Pursuant to Section 242 of the DGCL, the Board of Directors of the Corporation duly adopted resolutions setting forth the terms and provisions of this Certificate of Amendment to the Amended and Restated Certificate of Incorporation, declaring the terms and provisions of this Certificate of Amendment to be advisable, and directing that the terms and provisions of this Certificate of Amendment be submitted to and considered by the stockholders of the Corporation for approval.
4. The terms and provisions of this Certificate of Amendment to the Amended and Restated Certificate of Incorporation have been duly approved by written consent of the required number of shares of outstanding stock of the Corporation entitled to vote thereon, in lieu of a meeting and vote of stockholders, pursuant to Sections 228 and 242 of the DGCL.
5. The text of Article I of the Amended and Restated Certificate of Incorporation of the Corporation is hereby amended and restated in its entirety as follows:

"The name of the corporation is EMPYR Incorporated (the "Company")."

6. Paragraph one of Article IV of the Amended and Restated Certificate of Incorporation of the Corporation is hereby amended and restated in its entirety to read as follows:

"This Corporation is authorized to issue two classes of stock to be designated, respectively, "Common Stock" and "Preferred Stock." The total number of shares of capital stock that this Corporation shall have authority to issue is 284,164,441. The total number of shares of Common Stock this Corporation shall have authority to issue is 164,050,857 with a par value of \$0.0001 per share. The total number of shares of Preferred Stock this Corporation shall have authority to issue is 120,113,584 with a par value of \$0.0001 per share, 3,355,699 of which shall be designated Series A Preferred Stock, 4,427,227 shares of which shall be designated Series A-1 Preferred Stock,

17,049,671 shares of which shall be designated Series B Preferred Stock, 52,655,229 shares of which shall be designated Series B-1 Preferred Stock, and 42,625,758 shares of which shall be designated Series B-2 Preferred Stock. The Series A Preferred Stock, Series A-1 Preferred Stock, Series B Preferred Stock, Series B-1 Preferred Stock, and Series B-2 Preferred Stock are jointly referred to as the "Preferred Stock."

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the Company has caused this Certificate of Amendment to the Amended and Restated Certificate of Incorporation to be executed by its duly authorized officer on April 26, 2016.

MOGL LOYALTY SERVICES, INC.
a Delaware corporation

DocuSigned by:
Jon Carder
By: 957FD888DB77409...
Jon Carder, President