

05-04-2000

Substitute Form PTO-1594
Attorney Docket No.: 10664-113001

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Assistant Commissioner for Trademarks: Please record the attached copies of an original document.

<p>1. Name of conveying party(ies): <u>4.11.00</u> ZixMail.com, Inc.</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation—State of Delaware <input type="checkbox"/> Other _____</p> <p>Additional name(s) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies): ZixIt Operating Corporation One Galleria Tower, 13355 Noel Road, Suite 1555 Dallas, TX 15240</p> <p><input type="checkbox"/> Individual(s) Citizenship _____ <input type="checkbox"/> Association _____ <input type="checkbox"/> General Partnership _____ <input type="checkbox"/> Limited Partnership _____ <input checked="" type="checkbox"/> Corporation—State of Delaware _____ <input type="checkbox"/> Other _____</p> <p>If the assignee is not domiciled in the United States, a domestic representative designation is attached. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Additional names/addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance: <input type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input checked="" type="checkbox"/> Change of Name <input type="checkbox"/> Other: _____</p> <p>Execution Date: JUNE 14, 1999</p>	

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4. Application number(s) or trademark number(s):

A. Trademark Application No(s):
75/736,830

B. Trademark No(s): _____

Additional numbers attached? Yes No

<p>5. Name/address of party to whom correspondence concerning document should be mailed: Anthony L. Fletcher Fish & Richardson P.C. 45 Rockefeller Plaza, Suite 2800 New York, NY 10111</p>	<p>6. Total number of applications and registrations involved: 1</p> <p>7. Total fee (37 CFR §3.41): 65.00 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to charge Deposit Account.</p> <p>8. Deposit Account No.: 06-1050 Please apply any additionally charges, or any credits, to our Deposit Account No. 06-1050.</p>
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DO NOT USE THIS SPACE

9. Statement and Signature: *To the best of my knowledge and belief, the foregoing information is true and correct and the attached is a true copy of the original document.*

Regis. Ref: 05/03/2000 BCDATES 0015572500
Date: 06/05/00 Name/Number: 75/736830
FC: 704 \$25.00 CR

Anthony L. Fletcher
Name of Person Signing

Signature

April 11, 2000
Date

Total number of pages including cover sheet, attachments, and document: 4

recording form cover sheet (patent) (firstclass).doc

CERTIFICATE OF MAILING BY EXPRESS MAIL Express Mail Label No. EE647184246US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

April 11, 2000 Date of Deposit
 Signature
Anthony L. Fletcher Typed Name of Person Signing Certificate

TRADEMARK
REEL: 002065 FRAME: 0275

Schedule

MARK	SERIAL NO.
ZIXMAIL Stylized	75/736,831

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State of Delaware
Office of the Secretary of State PAGE 1

I, EDWARD J. FREEL, 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 "ZIXMAIL.COM, INC.", CHANGING ITS NAME FROM "ZIXMAIL.COM, INC." TO "ZIXIT OPERATING CORPORATION", FILED IN THIS OFFICE ON THE TWENTY-SEVENTH DAY OF JULY, A.D. 1999, AT 9 O'CLOCK A.M.



A handwritten signature in cursive script, reading "Edward J. Freel".

Edward J. Freel, Secretary of State

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AUTHENTICATION: 9965188

DATE: 09-10-99

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REEL: 002065 FRAME: 0277

**CERTIFICATE OF AMENDMENT
TO
CERTIFICATE OF INCORPORATION
OF
ZIXMAIL.COM, INC.**

ZixMail.com, Inc., a corporation organized and existing under and by virtue of the Delaware General Corporation Law (the "Corporation"), certifies as follows:

FIRST: That, pursuant to a written consent of the Board of Directors of the Corporation, resolutions were duly adopted setting forth a proposed amendment (the "Amendment") of the Certificate of Incorporation of the Corporation, declaring the Amendment to be advisable and in the best interest of the Corporation, and submitting the proposed Amendment to the sole stockholder of the Corporation for its consideration. The resolution setting forth the proposed Amendment is as follows:

RESOLVED, that the Corporation amend its Certificate of Incorporation by changing Article I so that, as amended, Article I reads in its entirety as follows:

"The name of the Corporation is ZixIt Operating Corporation"

SECOND: That thereafter, the Amendment was approved by the sole stockholder of the Corporation by its written consent delivered to the Corporation pursuant to Sections 228(a) and (c) of the Delaware General Corporation Law.

THIRD: That the Amendment was duly adopted in accordance with the provisions of Section 242 of the Delaware General Corporation Law.

FOURTH: That the capital of the Corporation shall not be reduced under or by reason of said Amendment.

IN WITNESS WHEREOF, the undersigned Vice President of the Corporation has executed this Certificate of Amendment as of July 26, 1999.

ZIXMAIL.COM, INC.

By: Ronald A. Woessner
Ronald A. Woessner, Vice President