

08-08-2000

Form PTO-1594  
1-31-92



U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner

101425122

Original documents or copy thereof.

<p>1. Name of conveying party(ies):</p> <p>Pro*Act, Inc. P.O. Box 389 Salinas, CA 93908</p> <p>Individual(s) _____ Association _____ General Partnership _____ Limited Partnership _____ X Corporation- Delaware _____ Other: _____</p> <p>Additional name(s) of conveying party(ies) attached? Yes No</p> <p>3. Nature of conveyance:</p> <p>Assignment _____ Merger _____ Security Agreement _____ Change of Name _____ X Other: <b>Please delete the incorrect registration number from the attached recordation cover sheet, and record the assignment of the correct trademark registration number: 1837447</b></p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: Pro*Act, LLC</p> <p>Street Address: 19065 Portola Drive</p> <p>City: Salinas State: CA Zip: 93908</p> <p>Individual(s) citizenship _____ Association _____ General Partnership _____ Limited Partnership _____ Corporation-State _____</p> <p>X Other: California limited liability company</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No</p> <p>(Designations must be a separate document from Assignment)</p> <p>Additional name(s) &amp; address(es) attached? : Yes No</p>
<p>4. Application number(s) or registration numbers(s):</p> <p>A. Trademark Application No.(s)</p>	<p>B. Trademark Registration No. 1837447</p>

Additional numbers attached? Yes X No

<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: Lawrence R. Robins, Esq.</p> <p>Internal Address: Hinckley, Allen &amp; Snyder LLP</p> <p>Street Address: 28 State Street</p> <p>City: Boston State: MA Zip: 02109</p>	<p>6 Total number of applications and registrations involved: [ 1 ]</p> <p>7. Total fee (37 CFR 3.41) \$40</p> <p>X Enclosed</p> <p>Authorized to be charged to deposit account _____</p> <p>8. Deposit account number: _____</p> <p>(Attach duplicate copy of this page if paying by deposit account)</p>
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9. Statement and signature.  
*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

\_\_\_\_\_  
Lawrence R. Robins

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Total number of pages comprising cover sheet [ 1 ]

OMB No. 0651-0011 (exp. 4/94)

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Washington, D.C. 20231

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1-31-92

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U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks

Documents or copy thereof.  
Party(ies):

1. Name of conveying party(ies): **4.10.00**

Pro\*Act, Inc.  
P.O. Box 389  
Salinas, CA 93908

Individual(s) Association  
General Partnership Limited Partnership  
X Corporation- Delaware  
Other: \_\_\_\_\_

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

Assignment X Merger  
Security Agreement Change of Name  
Other: \_\_\_\_\_

Execution Date: August 31, 1996

Name: Pro\*Act, LLC

Street Address: 19065 Portola Drive

City: Salinas State: CA Zip: 93908

Individual(s) citizenship  
Association \_\_\_\_\_  
General Partnership \_\_\_\_\_  
Limited Partnership \_\_\_\_\_  
Corporation-State \_\_\_\_\_

X Other: California limited liability company  
If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes

No  
(Designations must be a separate document from Assignment)  
Additional name(s) & address(es) attached? : Yes No

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

B. Trademark Registration No. 1837477

Additional numbers attached? Yes No **X**

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Danielle A. Sousa, Esq.

Internal Address: Hinckley, Allen & Snyder LLP

Street Address: 28 State Street

City: Boston State: MA Zip: 02109

6. Total number of applications and registrations involved: [ 1 ]

7. Total fee (37 CFR 3.41) \$40

X Enclosed

Authorized to be charged to deposit account

8. Deposit account number: \_\_\_\_\_

(Attach duplicate copy of this page if paying by deposit account)

04/27/2000 JSH/BAZZ 00000303 1837477

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

Danielle A. Sousa  4/5/00  
Danielle A. Sousa Signature Date

Total number of pages comprising cover sheet | 1 |

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*Office of the Secretary of State*

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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 MERGER, WHICH MERGES:

"PROACT, INC.", A DELAWARE CORPORATION,

WITH AND INTO "PRO\*ACT, LLC" UNDER THE NAME OF "PRO\*ACT, LLC", A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTIETH DAY OF AUGUST, A.D. 1996, AT 1:01 O'CLOCK P.M.

2662637 8100M

001163195



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

Edward J. Freel, Secretary of State

AUTHENTICATION:

0351499

DATE:

03-30-00

TRADEMARK  
REEL: 002115 FRAME: 0710

**CERTIFICATE  
OF  
MERGER**

The undersigned limited liability company organized and existing under and by virtue of Chapter 18 of Title 6 of the Delaware Code,

DOES HEREBY CERTIFY:

FIRST: The name and state of formation of the constituent limited liability company to this merger is Pro\*Act, LLC, a Delaware limited liability company. The name and state of organization of the constituent corporation to this merger is PROACT, INC., a Delaware corporation.

SECOND: An agreement of merger has been approved, adopted, certified, executed, and acknowledged by the limited liability company and the corporation which are to merge in accordance with Section 18-209 and of Title 6 and Section 264 of Title 8 of the Delaware Code.

THIRD: The surviving entity to this merger is Pro\*Act, LLC, a Delaware limited liability company.

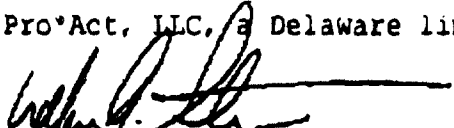
FOURTH: The executed Agreement and Plan of Merger is on file at the principal place of business of Pro\*Act, LLC, the surviving entity to this merger, at 19065 Portola Drive, Suite N, Selinas, California 93908.

FIFTH: A copy of the Agreement and plan of Merger will be furnished by Pro\*Act, LLC, the surviving entity to this merger, on request and without cost to any member of the constituent limited liability company to this merger and to any person holding an interest in the constituent corporation to this merger.

SIXTH: The effective date of this merger shall be September 1, 1996.

IN WITNESS WHEREOF, William Stern, the Chairman of the Board of Pro\*Act, LLC, a Delaware limited liability company, the surviving entity to this merger, has subscribed his hand and seal to this Certificate of Merger this 31<sup>st</sup> day of August, 1996.

Pro\*Act, LLC, a Delaware limited liability company,

  
By: William Stern  
Title: Chairman of the Board  
#62112v3 pfod