FORM PTO-1618A

Expires 06/30/99

OMB 0651-0027

MMD 3-15-01

025708

04-05-2001



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# RECORDATION FORM COVER SHEET

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	ease record the attached original document(s) or copy(ies).			
Submission Type	Conveyance Type			
New	Assignment License			
Resubmission (Non-Recordation)  Document ID# 101559385	Security Agreement Nunc Pro Tunc Assignment			
Correction of PTO Error	Merger Effective Date  Month Day Year			
Reel # Frame #				
Corrective Document	Change of Name			
Reel # Frame #	Other			
Conveying Party	Mark if additional names of conveying parties attached  Execution Date  Month Day Year			
Name NETSTREAM, INC.	05-23-00			
Formerly FIBER COMMUNICATIONS, INC.				
Individual General Partnership	Limited Partnership Corporation Association			
Other				
	Polymer			
Citizenship/State of Incorporation/Organization	Delaware			
Receiving Party	Mark if additional names of receiving parties attached			
Name NETSTREAM, INC.				
DDA/AKATA				
DBA/AKA/TA				
Composed of				
Address (line 1) 1101 Creekside Ridge #150				
Address (line 2)				
Address (line 3) Roseville	CA 95678			
City	State/Country Zip Code			
Individual General Partnership	Limited Partnership If document to be recorded is an assignment and the receiving party is			
Corporation Association	not domiciled in the United States, an appointment of a domestic representative should be attached.			
Other	(Designation must be a separate document from Assignment.)			
Citizenship/State of Incorporation/Organization Delaware				
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Corresponde	ent Name and Address Area Code and Telephone Nur	mber 619 685-6459
Name	Bernard L. Kleinke	
Address (line 1)	Foley & lardner	
Address (line 2)	402 West Broadway 23rd Floor	
Address (line 3)	San Diego, CA 92101	
Address (line 4)		
Pages	Enter the total number of pages of the attached conveyance including any attachments.	ce document # 4
Trademark A	application Number(s) or Registration Number(s)	Mark if additional numbers attach
	the Trademark Application Number or the Registration Number (DO NOT EN	
		Registration Number(s)
76121418	76120987 76120988	
76020849		
Number of P	roperties Enter the total number of properties involved.	. # [4
Fee Amount	Fee Amount for Properties Listed (37 CFR 3.4	41): \$ 160.00
Method of	Payment: Enclosed Deposit Account	
Deposit A	-	# 50-0872
	Authorization to charge additional f	fees: Yes No

## 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. Charges to deposit account are authorized, as indicated herein.

Bernard L. Kleinke

Name of Person Signing

00/85/11

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Submission Type	Conveyance Type
L <sub>X</sub> New	Assignment License
Resubmission (Non-Recordation)	Security Agreement Nunc Pro Tunc Assignmen
Document ID #	Effective Date
Correction of PTO Error Reel # Frame #	Merger Month Day Year
Reel # Frame # Corrective Document	☑ Change of Name
Reel # Frame #	Other
Conveying Party	Mark if additional names of conveying parties attached
	Execution Date Month Day Year
Name NETSTREAM, INC.	05-23-00
Formerly FIBER COMMUNICATIONS	S, INC.
Individual General Partnership	Limited Partnership X Corporation Association
Other	
□ ∑ Citizenship/State of Incorporation/Organiza	ation <u>DELAWARE</u>
Receiving Party	Mark if additional names of receiving parties attached
Name K	
W Maine M	
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Address (line 1)	- Verification of the Control of the
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Address (line 3)	State Country
Individual General Partnership	State/Country Zip Code Limited Partnership If document to be recorded is an
	assignment and the receiving party is not domiciled in the United States, an
Corporation Association	appointment of a domestic representative should be attached.
Other	Sesignation must be a separate
	disposed in the second
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D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Mani Information Collection Budget Package 0651-0027, Patent and Trademark Assign	fling this burden estimate to the U.S. Paten and Tradebark Office, Chief Information Officer, Washington agement and Budget, Paperwork Reduction Project (#51-0027), Washington, D.C. 20503. See OMB Inment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS
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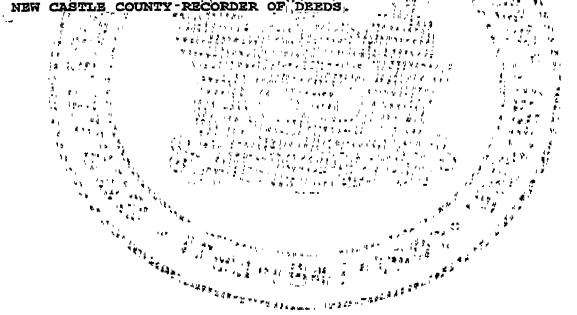
FORM PTO-1 Expires 06/30/99 OMB 0651-0027			U.S. Department of Commerce Patent and Trademark Office TRADEMARK		
	epresentative Name and	d Address Enter for the first Re	ceiving Party only.		
Name [					
Address (line 1)					
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Address (line 4)					
Correspond	lent Name and Address	Area Code and Telephone Number			
Name	Bernard L. Klein	nke			
Address(line 1)	Foley & Lardner				
Address (line 2)	402 West Broadway 23rd Floor				
Address (line 3)	San Diego, CA	92101			
Address (line 4)		· · · · · · · · · · · · · · · · · · ·			
Pages	Enter the total number of p including any attachments	ages of the attached conveyance doc	cument # 4		
Trademark Application Number(s) or Registration Number(s) Mark if additional numbers attached  Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).  Trademark Application Number(s) Registration Number(s)  76121418 76120987 76120988					
7602084	9				
Number of I	Properties Enter the total	al number of properties involved.	# 4		
Fee Amoun	t Fee Amount 1	for Properties Listed (37 CFR 3.41):	\$ \$160.00		
Method of Payment: Enclosed X Deposit Account  Deposit Account  (Enter for payment by deposit account or if additional fees can be charged to the account.)  Deposit Account Number: # 50-0872					
		Authorization to charge additional fees:	Yes No		
Statement a	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. Charges to deposit account are authorized, as indicated herein.					
Bernard	l L. Kleinke	BenjackKleinhi	Nov. 21, 2000		
Name	of Person Signing	Signature	Date Signed		

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## State of Delaware Office of the Secretary of State

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 "FIBER COMMUNICATIONS, INC. ", CHANGING ITS NAME, FROM "FIBER" COMMUNICATIONS, INC. " TO "NETSTREAM, INC. ", FILED IN THIS OFFICE ON THE NINETEENTH DAY OF MAY, A.D. 2000, AT 9 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE



2906552 8100

001260186

Edward J. Freel, Secretary of State

AUTHENTICATION:

0453995

DATE:

05-23-00

To-FOLEY LARDNER

Page 002

## CERTIFICATE OF AMENDMENT

OF

#### CERTIFICATE OF INCORPORATION

OF

### FIBER COMMUNICATIONS, INC.

I, Steve Hubbard, the President and Chief Executive Officer of Fiber Communications, Inc., a corporation organized and existing under the General Corporation Law of the State of Delaware (the "Corporation"), in accordance with the provisions of Section 242 thereof, DO HEREBY CERTIFY:

FIRST: That the amendment to the Certificate of Incorporation set forth in the following resolutions has been approved by the Corporation's Board of Directors and was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

RESOLVED, that the Second Amended and Restated Certificate of Incorporation of the Corporation be amended by striking Article I in its entirety and replacing it with the following:

#### ARTICLE I

The name of the Corporation is NetStream, Inc.

IN WITNESS WHEREOF, this Certificate of Amendment has been executed on behalf of the corporation by its President and Chief Executive Officer on this 22<sup>nd</sup> day of May, 2000.

Steve Hubbard, President and CEO

Received Nov-15-2000 12:07pm

**RECORDED: 11/28/2000** 

From-916+6774160

To-FOLEY LARDNER

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