

10-03-2003

Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings =>> ▼ ▼



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U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): 9.30-03 FORE Systems, Inc. [] Individual(s) [] Association [] General Partnership [] Limited Partnership [X] Corporation-State Delaware [] Other

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

3. Nature of conveyance: [] Assignment [] Merger [] Security Agreement [X] Change of Name [] Other

Execution Date: March 28, 2001

2. Name and address of receiving party(ies) Name: Marconi Communications, Inc. Internal Address: Street Address: 1000 Marconi Drive City: Warrandale State: PA Zip: 15086 [] Individual(s) citizenship [] Association [] General Partnership [] Limited Partnership [X] Corporation-State Delaware [] Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: [] Yes [X] No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? [] Yes [X] No

4. Application number(s) or registration number(s): A. Trademark Application No.(s)

B. Trademark Registration No.(s) FORETHOUGHT 2,081,071

Additional number(s) attached [] Yes [X] No

5. Name and address of party to whom correspondence concerning document should be mailed. Name: Franklin B. Molin, Esq. Internal Address: Kirkpatrick & Lockhart LLP Henry W. Oliver Building Street Address: 535 Smithfield Street City: Pittsburgh State: PA Zip: 15222

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00 [X] Enclosed [X] Authorized to be charged to deposit account if additional fees are incurred

8. Deposit account number: 11-1110 (Attach duplicate copy of this page if paying by deposit account)

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 any attached copy is a true copy of the original document.

Franklin B. Molin, Esq. Name of Person Signing

Signature

September 29, 2003 Date

Total number of pages including cover sheet, attachments, and document: 7

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Mail documents to be recorded with required cover sheet information to: Commissioner of Patents & Trademarks, Box Assignments Washington, D.C. 20231

Office of the Secretary of State

I, HARRIET SMITH WINDSOR, 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:

"MARCONI COMMUNICATIONS INC.", A DELAWARE CORPORATION, WITH AND INTO "FORE SYSTEMS, INC." UNDER THE NAME OF "MARCONI COMMUNICATIONS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTIETH DAY OF MARCH, A.D. 2001, AT 4:55 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE FIRST DAY OF APRIL, A.D. 2001, AT 12:02 O'CLOCK A.M.



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 1130965

DATE: 05-14-01

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CERTIFICATE OF OWNERSHIP AND MERGER

MERGING

MARCONI COMMUNICATIONS INC.

INTO

FORE SYSTEMS, INC.

**(PURSUANT TO SECTION 253 OF THE GENERAL
CORPORATION LAW OF THE STATE OF DELAWARE)**

**FORE Systems, Inc., a corporation organized and existing under the laws of the
State of Delaware (the "Corporation"),**

DOES HEREBY CERTIFY:

**FIRST: That this Corporation was incorporated on the twenty-fourth day of
November, 1992, pursuant to the General Corporation Law of the State of Delaware.**

**SECOND: That this Corporation owns all of the outstanding shares of the capital
stock of Marconi Communications Inc., a corporation incorporated on the twenty-second
day of December, 1986, pursuant to the General Corporation Law of the State of
Delaware;**

**THIRD: That this Corporation, by the following resolutions of its Board of
Directors, duly adopted by the written consent of its members, filed with the minutes of
the Board, on the twenty-eighth day of March, 2001, determined to and did merge into**

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itself said Marconi Communications Inc., with the Corporation surviving said merger:

"RESOLVED: That FORE Systems, Inc. merge and it hereby does merge into itself said Marconi Communications Inc. and assume all of its liabilities and obligations.

FURTHER RESOLVED: That the merger shall be effective on April 1, 2001 at 12:02 a.m., Eastern Standard Time (the 'Effective Time').

FURTHER RESOLVED: That any officer of this Corporation be, and each of them hereby is, directed to make and execute a Certificate of Ownership and Merger setting forth a copy of the resolutions to merge said Marconi Communications Inc. and assume its liabilities and obligations, and the date of adoption thereof, and to cause the same to be filed with the Secretary of State of Delaware and to do all acts and things whatsoever, whether within or without the State of Delaware, which may be necessary or proper to effect said merger.

FURTHER RESOLVED: That at the Effective Time, this Corporation change its corporate name by changing Article FIRST of its Certificate of Incorporation to read in its entirety as follows:

"FIRST: The name of the corporation is Marconi Communications, Inc. "

FOURTH: The certificate of incorporation of the Corporation shall be the certificate of incorporation of the surviving corporation in the merger, except that the certificate of incorporation shall be amended so that the name of the surviving corporation thereunder shall be Marconi Communications, Inc."

IN WITNESS WHEREOF, said FORE Systems, Inc. has caused this Certificate to be signed by Valerie Gentile Sachs this twenty-eighth day of March, 2001.

FORE Systems, Inc.

By: 
Valerie Gentile Sachs
Secretary

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