

12/5/03

12-12-2003



Form PTO-1594  
OMB No. 0651-0027

RECORD 102621485  
**TRADEMARKS ONLY**

U.S. Department of Commerce  
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):

**Bionetrix Systems Corporation**

Individual(s)                       Association  
 General Partnership               Limited Partnership  
 Corporation-State - **Delaware**  
 Other \_\_\_\_\_

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

2. Name and address of receiving party(ies):

Name: **BNX Systems Corporation**

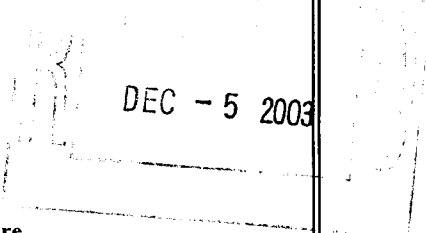
Internal Address:

Street Address: **1953 Gallows Road**

City: **Vienna**              State: **VA**              Zip Code: **22181**

Country: **U.S.A.**

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



3. Nature of Conveyance:

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

Execution Date(s): **February 19, 2003**

If assignee is not domiciled in the United States, a domestic representation 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 number(s):

A. Trademark Application No(s).

**76/487,941**

Additional numbers attached?  Yes  No

B. Trademark Registration No(s).

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

Name: **Sterne, Kessler, Goldstein & Fox P.L.L.C.**

Internal Address: **c/o**

**Kimberly N. Reddick, Esq.**

Street Address: **1100 New York Ave., N.W.**

City: **Washington**              State: **D.C.**              Zip Code: **20005-3934**

6. Total number of applications and registrations involved ..... 1

7. Total fee (37 C.F.R. § 3.41). . . . . **\$40.00**

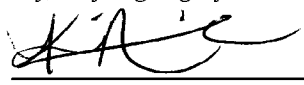
Enclosed  
 Charge: PTO-2038 Credit Card Form Enclosed  
 Authorized to be charged to Deposit Account

8. Deposit Account Number: **19-0036**

**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.*

**Kimberly N. Reddick**                                            **December 5, 2003**  
 Name of Person Signing                      Signature                      Date

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

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

SKGF\_DC1:205829.1

**TRADEMARK**  
**REEL: 002877 FRAME: 0720**

**CERTIFICATE OF AMENDMENT  
OF THE  
THIRD AMENDED AND RESTATED  
CERTIFICATE OF INCORPORATION  
OF  
BIONETRIX SYSTEMS CORPORATION**

BioNetrix Systems Corporation (the "**Corporation**"), a corporation organized and existing under the General Corporation Law of the State of Delaware, does hereby certify as follows:

**FIRST:** That by a unanimous written consent the Board of Directors of the Corporation, resolutions were duly adopted setting forth a proposed amendment to the Third Amended and Restated Certificate of Incorporation of the Corporation, declaring said amendment to be advisable and called a meeting of the stockholders of said corporation for consideration thereof. The resolution setting forth the proposed amendment is as follows:

**NOW THEREFORE BE IT RESOLVED,** that the Third Amended and Restated Certificate of Incorporation be and hereby is amended by deleting Article I in its entirety and inserting the following language in lieu thereof:

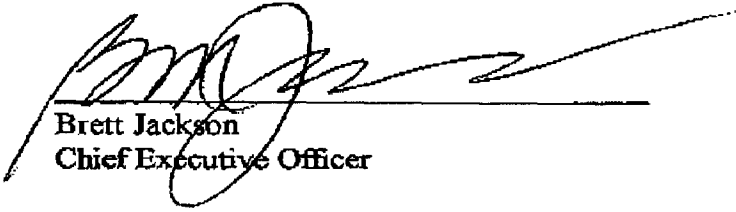
The name of the Corporation (the "**Corporation**") is **BNX Systems Corporation.**

**SECOND:** That thereafter, pursuant to a written consent of the majority stockholders of the Corporation, acting by written consent pursuant to Section 228 of the General Corporation Law of the State of Delaware, duly approved such aforesaid amendment to the Third Amended and Restated Certificate of Incorporation of the Corporation in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, BioNetrix Systems Corporation has caused this Certificate of Amendment of the Third Amended and Restated Certificate of Incorporation to be duly signed by Brett Jackson, its Chief Executive Officer, on February 19, 2003.

BIONETRIX SYSTEMS CORPORATION

By:

  
Brett Jackson  
Chief Executive Officer

Attest:

  
Todd Headley  
Chief Financial Officer

[CORPORATE SEAL]