

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	CHANGE OF NAME		
<b>CONVEYING PARTY DATA</b>			
Name	Formerly	Execution Date	Entity Type
Zaplet, Inc.		07/20/2004	CORPORATION: DELAWARE
<b>RECEIVING PARTY DATA</b>			
Name:	MetricStream, Inc.		
Street Address:	3000 Bridge Parkway		
City:	Redwood Shores		
State/Country:	CALIFORNIA		
Postal Code:	94065		
Entity Type:	CORPORATION: DELAWARE		
<b>PROPERTY NUMBERS Total: 1</b>			
Property Type	Number	Word Mark	
Serial Number:	75908721	ZAPLET	
<b>CORRESPONDENCE DATA</b>			
Fax Number:	(650)938-5200		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	(650) 988-8500		
Email:	trademark@fenwick.com		
Correspondent Name:	Connie L.Ellerbach,Esq.,Fenwick&West LLP		
Address Line 1:	Silicon Valley Center		
Address Line 2:	801 California Street		
Address Line 4:	Mountain View, CALIFORNIA 94041		
ATTORNEY DOCKET NUMBER:	22408-00070		
NAME OF SUBMITTER:	Connie L. Ellerbach		
Signature:	/cle1087/		
Date:	06/06/2006		

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Total Attachments: 2  
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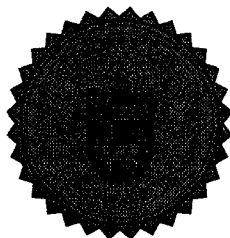
# Delaware

PAGE 1

*The First 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 RESTATED CERTIFICATE OF "ZAPLET, INC.", CHANGING ITS NAME FROM "ZAPLET, INC." TO "METRICSTREAM, INC.", FILED IN THIS OFFICE ON THE TWENTIETH DAY OF JULY, A.D. 2004, AT 3:22 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



3083904 8100

040530833

*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 3246393

DATE: 07-21-04

TRADEMARK  
REEL: 003322 FRAME: 0429

AMENDED AND RESTATED CERTIFICATE OF INCORPORATION

OF ZAPLET, INC.

Zaplet, Inc., a corporation organized and existing under the laws of the State of Delaware, hereby certifies as follows:

A. The name of this corporation is Zaplet, Inc. The original Certificate of Incorporation was filed under the name Firedrop, Inc. with the Secretary of State of the State of Delaware on August 16, 1999.

B. Pursuant to Sections 228, 242, and 245 of the General Corporation Law of the State of Delaware, this Amended and Restated Certificate of Incorporation restates and integrates and further amends the provisions of the Certificate of Incorporation of this corporation.

C. The text of the Certificate of Incorporation as heretofore amended or supplemented is hereby amended and restated as follows:

ONE The name of this corporation is MetricStream, Inc.

TWO The address of the corporation's registered office in the State of Delaware is Corporation Trust Center, 1209 Orange Street, in the City of Wilmington, County of New Castle, Zip Code 19801. The name of its registered agent at such address is The Corporation Trust Company.

THREE The purpose of the corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of Delaware.

FOUR This corporation is authorized to issue two classes of stock to be designated, respectively, "Common Stock" and "Preferred Stock." The total number of shares which the corporation is authorized to issue is 190,604,000 shares, 120,000,000 shares of which shall be Common Stock (the "*Common Stock*") with a par value of \$0.00033 per share and 70,604,000 shares of which shall be Preferred Stock (the "*Preferred Stock*") with a par value of \$0.00033 per share. 17,259,000 shares of Preferred Stock are hereby designated Series A-1 Preferred Stock ("*Series A-1 Preferred*"), 2,325,000 shares of Preferred Stock are hereby designated Series B-1 Preferred Stock ("*Series B-1 Preferred*"), and 51,020,000 shares are hereby designated Series C-1 Preferred Stock ("*Series C-1 Preferred*").