

TRADEMARK ASSIGNMENT

Electronic Version v1.1
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SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	CHANGE OF NAME		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Surflin/Wavetrack, Inc.	FORMERLY Swell, Inc.	09/10/2001	CORPORATION: DELAWARE
RECEIVING PARTY DATA			
Name:	Surflin/Wavetrak, Inc.		
Street Address:	300 Pacific Coast Hwy		
Internal Address:	Suite 310		
City:	Huntington Beach		
State/Country:	CALIFORNIA		
Postal Code:	92648		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 3			
Property Type	Number	Word Mark	
Registration Number:	2315667	SURF ALERT	
Registration Number:	2616286	SURFLIVE	
Registration Number:	2376557	SURFALERT	
CORRESPONDENCE DATA			
Fax Number:	(214)981-3400		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	214-981-3300		
Email:	jchester@sidley.com		
Correspondent Name:	Sidley Austin LLP c/o Julia Chester		
Address Line 1:	717 N. Harwood		
Address Line 2:	Suite 3400		
Address Line 4:	Dallas, TEXAS 75201		
ATTORNEY DOCKET NUMBER:	32046-80020		
NAME OF SUBMITTER:	Julia M. Chester		

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Signature:

/Julia M. Chester/

Date:

02/26/2009

Total Attachments: 4

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**CERTIFICATE OF INCORPORATION
OF
SURFLINE/WAVETRAK, INC.**

**ARTICLE I
NAME OF CORPORATION**

The name of this corporation is:

Surflin/Wavetrak, Inc.

**ARTICLE II
REGISTERED OFFICE AND AGENT**

The address of the registered office of the corporation in the State of Delaware is 9 East Loockerman Street, in the City of Dover 19901, County of Kent, and the name of its registered agent at that address is National Registered Agents, Inc.

**ARTICLE III
CORPORATE PURPOSE**

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

**ARTICLE IV
AUTHORIZED CAPITAL STOCK**

The corporation shall be authorized to issue one class of stock to be designated Common Stock; the total number of shares which the corporation shall have authority to issue is one million (1,000,000), and each such share shall have a par value of one-tenth of one cent (\$0.001).

**ARTICLE V
INCORPORATOR**

The name and mailing address of the incorporator of the corporation is:

Kristie Tolliver
c/o National Corporate Research, LTD.
615 South DuPont Highway
Dover, Delaware 19901

**ARTICLE VI
AMENDMENT OF CORPORATION DOCUMENTS**

This corporation reserves the right to amend, alter, change or repeal any provision contained in this Certificate of Incorporation, in the manner now or hereafter prescribed by statute, and all rights conferred on stockholders herein are granted subject to this reservation.

In furtherance and not in limitation of the powers conferred by statute, the board of directors is expressly authorized to make, repeal, alter, amend and rescind the bylaws of this corporation.

**ARTICLE VII
ELECTION OF DIRECTORS**

Elections of directors need not be by written ballot unless the bylaws of the corporation shall so provide.

**ARTICLE VIII
LIMITATION OF DIRECTOR LIABILITY**

To the fullest extent permitted by the Delaware General Corporation Law as the same exists or may hereafter be amended, a director of this corporation will not be liable to this corporation or its stockholders for monetary damages for breach of fiduciary duty as a director, except (i) for any breach of the director's duty of loyalty to this corporation or its stockholders; (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law; (iii) under Section 174 of the Delaware General Corporation Law; or (iv) for any transaction from which the director derived any improper personal benefit. If the Delaware General Corporation Law is amended after the date of the filing of this Certificate of Incorporation to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of a director of this corporation will be eliminated or limited to the fullest extent permitted by the Delaware General Corporation Law, as so amended from time to time. No repeal or modification of this Article VIII by the stockholders will adversely affect any right or protection of a director of this corporation existing by virtue of this Article VIII at the time of such repeal or modification.

ARTICLE IX
INDEMNIFICATION OF DIRECTORS AND AGENTS


To the fullest extent permitted by applicable law, this corporation is also authorized to provide indemnification of (and advancement of expenses to) such directors and agents (and any other persons to which Delaware law permits this corporation to provide indemnification) through bylaw provisions, agreements with such agents or other persons, vote of stockholders or disinterested directors or otherwise, in excess of the indemnification and advancement of expenses otherwise permitted by Section 145 of the Delaware General Corporation Law, subject only to limits imposed by applicable Delaware law (statutory or non-statutory), with respect to actions for breach of duty to this corporation, its stockholders or others. No repeal or modification of this Article IX by the stockholders will adversely affect any right or protection of a director of this corporation existing by virtue of this Article IX at the time of such repeal or modification.

ARTICLE X
CREDITOR COMPROMISE OR ARRANGEMENT

Whenever a compromise or arrangement is proposed between this corporation and its creditors or any class of them and/or between this corporation and its stockholders or any class of them, any court of equitable jurisdiction within the State of Delaware may, on the application in a summary way of this corporation or of any creditor or stockholder thereof or on the application of any receiver or receivers appointed for this corporation under the provisions of Section 291 of Title 8 of the Delaware Code or on the application of trustees in dissolution or of any receiver or receivers appointed for this corporation under the provisions of Section 279 of Title 8 of the Delaware Code, order a meeting of the creditors or class of creditors, and/or of the stockholders or class of stockholders of this corporation, as the case may be, to be summoned in such manner as the said court directs. If a majority in number representing three-fourths in value of the creditors or class of creditors, and/or of the stockholders or class of stockholders of this corporation, as the case may be, agree to any compromise or arrangement and to any reorganization of this corporation as a consequence of such compromise or arrangement, the said compromise or arrangement and the said reorganization shall, if sanctioned by the court to which the said application has been made, be binding on all the creditors or class of creditors, and/or on all the stockholders or class of stockholders, of this corporation, as the case may be, and also on this corporation.

THE UNDERSIGNED, being the incorporator hereinbefore named, for the purpose of forming a corporation to do business both within and without the State of Delaware, and in pursuance of the Delaware General Corporation Law, does make and file this Certificate.

Dated: September 10, 2001



Kristie Tolliver, Incorporator

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