

FORM PTO-1618A
Expires 06/30/99
OMB 0651-0027

06-24-1999

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

WED
6.24.99



101095469
RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)
Document ID # _____
- Correction of PTO Error
Reel # _____ Frame # _____
- Corrective Document
Reel # _____ Frame # _____

Conveyance Type

- Assignment License
- Security Agreement Nunc Pro Tunc Assignment
- Merger
- Change of Name
- Other _____

Effective Date
Month Day Year
06 01 99

Conveying Party

Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name **GATEWAY, INC.**

6-24-99

Formerly **GATEWAY 2000, INC.**

- Individual General Partnership Limited Partnership Corporation Association
- Other _____
- Citizenship/State of Incorporation/Organization **STATE OF DELAWARE CORPORATION**

Receiving Party

Mark if additional names of receiving parties attached

Name **GATEWAY, INC.**

DBA/AKA/TA _____

Composed of _____

Address (line 1) **4545 TOWNE CENTRE COURT**

Address (line 2) _____

Address (line 3) **JAN DIEGO** **CALIFORNIA** **92121**
City State/Country Zip Code

- Individual General Partnership Limited Partnership Corporation Association
- Other _____
- Citizenship/State of Incorporation/Organization **STATE OF DELAWARE**

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

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

TRADEMARK
REEL: 001917 FRAME: 0327

FORM PTO-1618B
Expires 06/30/99
OMB # 0691-0027

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U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments. #

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)

Number of Properties

Enter the total number of properties involved. #

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment: Enclosed Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: #

Authorization to charge additional 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.

PHILIP DAVISON
Name of Person Signing


Signature

6-24-99
Date Signed

FORM PTO-1618C
Expires 06/30/99
OMB 0651-0027

RECORDATION FORM COVER SHEET CONTINUATION TRADEMARKS ONLY

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

Conveying Party

Enter Additional Conveying Party

Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name GATEWAY, INC.

06 24 99

Formerly GATEWAY 2000, INC.

Individual General Partnership Limited Partnership Corporation Association

Other _____

Citizenship State of Incorporation/Organization STATE OF DELAWARE CORPORATION

Receiving Party

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DBA/AKA/TA _____

Composed of _____

Address (line 1) 4545 TOWNE CENTRE COURT

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City State/Country Zip Code

Individual General Partnership Limited Partnership If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached (Designation must be a separate document from the Assignment.)

Corporation Association

Other _____

Citizenship/State of Incorporation/Organization STATE OF DELAWARE CORPORATION

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)

75472516 75527902 75664575

75472520 75578966 75525336

75473869 75501424 75578965

75473802 75527903 75560755

75473868 75475939 75560756

75473866 75475932 75664576

75473867 75475940 75472518

FORM PTO-1618C
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Conveying Party

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Name GATEWAY, INC

06 24 99

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Individual General Partnership Limited Partnership Corporation Association

Other _____

Citizenship State of Incorporation/Organization STATE OF DELAWARE CORPORATION

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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)

75473803 75503514 _____

75581241 _____

75552735 _____

75552734 _____

75384358 _____

75527904 _____

75578964 _____

State of Delaware
Office of the Secretary of State

PAGE 1

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 "GATEWAY 2000, INC.", CHANGING ITS NAME FROM "GATEWAY 2000, INC." TO "GATEWAY, INC.", FILED IN THIS OFFICE ON THE TWENTY-FIFTH DAY OF MAY, A.D. 1999, AT 4:30 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF AMENDMENT IS THE FIRST DAY OF JUNE, A.D. 1999.

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



Edward J. Freel, Secretary of State

2251983 8100

991209835

AUTHENTICATION:

9767779

DATE:

05-26-99

TRADEMARK

REEL: 001917 FRAME: 0331

**CERTIFICATE OF AMENDMENT OF
RESTATED CERTIFICATE OF INCORPORATION
OF GATEWAY 2000, INC.**

Gateway 2000, Inc. (the "Corporation"), a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "DGCL"), hereby certifies as follows:

1. The name of the Corporation is Gateway 2000, Inc.

2. The date on which the Restated Certificate of Incorporation of the Corporation was originally filed with the Secretary of State of Delaware was December 6, 1993, and a Corrected Restated Certificate of Incorporation of the Corporation was filed with the Secretary of State of the State of Delaware on September 15, 1994 (the "Restated Certificate").

3. This Certificate of Amendment amends a provision of the Restated Certificate and has been duly adopted by the Board of Directors in accordance with the provisions of Sections 141 and 242 of the DGCL, and further adopted in accordance with the provisions of Sections 216 and 242 of the DGCL by the stockholders of the Corporation.

4. Article FIRST of the Restated Certificate is hereby amended and restated to read in its entirety as follows:

"FIRST: The name of the corporation is Gateway, Inc. (hereinafter called the "Corporation")."

5. The first paragraph of Article FOURTH of the Restated Certificate is hereby amended and restated to read in its entirety as follows:

"FOURTH: The total number of shares of capital stock which the Corporation shall have authority to issue is 1,006,000,000 shares, consisting of:

- (1) 1,000,000,000 shares of Common Stock, par value \$.01 per share ("Common Stock");
- (2) 1,000,000 shares of Class A Common Stock, par value \$.01 per share ("Class A Common Stock"); and
- (3) 5,000,000 shares of Preferred Stock, par value \$.01 per share ("Preferred Stock")."

6. This Certificate of Amendment of the Restated Certificate of Incorporation shall be effective at 12:01 a.m. Eastern Daylight Time on June 1, 1999.

IN WITNESS WHEREOF, the Corporation has caused this Certificate of Amendment to be signed by a duly authorized officer of the Corporation as of May 24, 1999.

GATEWAY 2000, INC.



Stephanie G. Heim
Assistant Secretary



F A X

610 Gateway Drive North Sioux City, SD 57049-2000 800.846.2000

Legal Department

Date: 6/24

Pages: 8

To:	COMMISSIONER OF PATENTS + TRADEMARKS
Dept./Co.:	
Phone:	
Fax:	(703) 308-7124
CC:	
From:	PHILIP DAVISON
Phone:	619 799 2572
Fax:	619 799 3413

Message: