

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant: TippingPoint Technologies, Inc.
Mark: DIGITAL VACCINE
Registration No.: 2,716,710
Registration Date: May 13, 2003
International Classes: 9 and 42

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

DECLARATION OF USE IN COMMERCE UNDER SECTION 8

TippingPoint Technologies, Inc., a Delaware corporation located at 7501-B North Capital of Texas Highway, Austin, TX, 78731, United States, hereby declares that it is the owner of Registration No. 2,716,710, as shown by the records in the Patent and Trademark Office; that said mark is in use in commerce on or in connection with the goods and services listed below; as evidenced by the specimens submitted herewith showing the mark as currently used.

The undersigned declares that he/she has authority to execute this Section 8 Declaration on behalf of said registrant; that the registrant owns Registration No. 2,716,710; that Registrant is using the mark in commerce on or in connection with the following goods and services in Classes 9 and 42:

"COMPUTER SOFTWARE FOR ENHANCING, SCREENING, BLOCKING, PROTECTING AND ACCOUNTING FOR DATA TRANSFER OVER THE GLOBAL COMPUTER INFORMATION NETWORKS, NAMELY FOR NETWORK SECURITY SYSTEM SOLUTIONS INCLUDING INTEGRATED AND MANAGED INTRUSION BLOCKING AND DETECTION SYSTEM APPLICATIONS VIA COMPUTER NETWORKS AND/OR THE INTERNET" in International Class 9.

The goods "COMPUTER HARDWARE " should be deleted from the class 9 description.

And

"CONSULTING SERVICES IN THE FIELD OF COMPUTER HARDWARE AND SOFTWARE FOR ENHANCING, SCREENING, BLOCKING, PROTECTING AND ACCOUNTING FOR DATA TRANSFER OVER THE GLOBAL COMPUTER INFORMATION NETWORKS, NAMELY FOR NETWORK SECURITY SYSTEM SOLUTIONS INCLUDING INTEGRATED AND MANAGED INTRUSION BLOCKING AND DETECTION SYSTEM APPLICATIONS VIA COMPUTER NETWORKS AND/OR THE INTERNET" in International Class 42.

and that the attached specimens show the mark as currently used for each class of goods and services.

The requisite fee is submitted herewith. Please deduct any deficiencies from, and credit any overpayments to, deposit account no. 16-0650.

POWER OF ATTORNEY

Registrant hereby appoints the law firm of Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP as its attorneys to prosecute this registration, with full power of substitution and revocation, to transact all business in the United States Patent and Trademark Office in connection therewith, and to maintain the registration.

Please address all correspondence to Thad Chaloeontiarana, Esq., at Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP, 311 South Wacker Drive, Suite 5000, Chicago, Illinois 60606, telephone number (312) 554-8000.

DECLARATION

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is

properly authorized to execute this document on behalf of the Registrant; he/she believes the Registrant to be the owner of the above-identified registration; and all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

TIPPINGPOINT TECHNOLOGIES, INC.

May 11, 2009

By:  _____

Name: Julie O. Petrini _____

Title: Vice President and General Counsel - Operations