

**Compression Labs, Incorporated v. Agfa Corporation et al.,  
C.A. No. 2:04CV-158 DF**

**Motion to Dismiss Under Fed. R. Civ. P. 12(b)(7), or,  
in the Alternative, Motion to Transfer**

**Attachment J to the  
Declaration of Joseph M. Casino**

RECEIVED  
JUL 19 1996  
RECEIPT ACTING DIV

07-22-1996



100236131

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

FORM PTO-1595  
(Rev. 6-93)  
OMB No. 0651-0011 (exp. 4/94)  
Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): MIR 7-12-96  
Charger Industries, Inc.  
6262 Lusk Boulevard  
San Diego, California 92121  
Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party(ies)  
Name: Magnitude Compression Systems, Inc.  
Internal Address: \_\_\_\_\_  
Street Address: 6262 Lusk Boulevard  
City: San Diego State: CA ZIP: 92121  
Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_  
Execution Date: June 25, 1996

4. Application number(s) or patent number(s):  
If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_  
A. Patent Application No.(s)  
08/162511  
B. Patent No.(s)  
4385363 4394774 4704628  
5506844 4541012  
4302775 4698672  
Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Neil S. Hirshman, Esq.  
Internal Address: Kirkland & Ellis  
Street Address: 200 East Randolph Drive  
Suite 6100  
City: Chicago State: IL ZIP: 60601

6. Total number of applications and patents involved: 8  
7. Total fee (37 CFR 3.41).....\$ 200.00  
 Enclosed  
 Authorized to be charged to deposit account or credit any overpayments  
8. Depos<sup>it</sup> account number:  
22-0440  
(Attach duplicate copy of this page if paying by deposit account)

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.  
Neil S. Hirshman  
Name of Person Signing  
Neil Hirshman  
Signature  
July 11, 1996  
Date  
Total number of pages including cover sheet, attachments, and document: 5

Mail documents to be recorded with required cover sheet information to  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20531  
FEE: 8031 FRAME: 0928

155 4496

FILED  
in the office of the Secretary of State  
of the State of California

JUN 27 1996

Bill Jones  
JONES, Secretary of State

CERTIFICATE OF AMENDMENT  
OF  
ARTICLES OF INCORPORATION  
OF  
CHARGER INDUSTRIES

We, Thomas A. Dumit, the President and Susan M. Meyer, the Secretary of Charger Industries, a corporation duly organized and existing under the laws of the State of California do hereby certify:

1. That they are the President and the Secretary, respectively of Charger Industries, a California corporation.
2. That an amendment to the articles of incorporation of this corporation has been approved by the board of directors.
3. That the shareholders have adopted said amendment by written consent. The amendment was approved by the holders of outstanding shares having not less than the minimum number of required votes of shareholders necessary to approve said amendment in accordance with Section 902 of the California Corporations Code.
4. That the designation and total number of outstanding shares entitled to vote on said amendment and the minimum percentage vote required of each class or series entitled to vote on said amendment for approval thereof are as follows:

<u>Designation</u>	<u>Number of shares outstanding entitled to vote</u>	<u>Minimum percentage vote required to approve</u>
Common (CALIF. - 637)	100	100%

PATENT  
REEL: 8031 FRAME: 0929

5. That the number of shares of each class which gave written consent in favor of said amendment equaled or exceeded the minimum percentage vote required of each class entitled to vote, as set forth above.

6. That the amendment approved by both the board of directors and the shareholders reads as follows:

**RESOLVED**, that the Articles of Incorporation of the Corporation are hereby amended to read in its entirety as set forth below:

- “ONE:** The name of this corporation is: Magnitude Compression Systems, Inc.
- TWO:** The purpose of this corporation is to engage in any lawful act or activity for which a corporation may be organized under the general Corporation Law of California other than the banking business, the trust company business, or the practice of a profession permitted to be incorporated by the California Corporations Code.
- THREE:** The corporation is authorized to issue only one class of shares of stock; the total number of shares which this corporation is authorized to issue is 100,000.
- FOUR:** The liability of the directors of the corporation for monetary damages shall be eliminated to the fullest extent permissible under California law.
- FIVE:** The corporation is authorized to provide indemnification of agents (as defined in Section 317 of the Corporations Code) for breach of duty to the corporation and its stockholders through bylaw provisions or through agreements with the agents, or both, in excess of the indemnification otherwise permitted by Section 317 of the Corporations Code, subject to the limits on such excess indemnification set forth in Section 204 of the Corporations Code.”

(CALIF. - 637)

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7. That this certificate shall become effective on the date of filing. Each of the undersigned declares under penalty of perjury that the statements contained in the foregoing certificates are true of their own knowledge.

Executed at Chicago, Illinois on June 25, 1996.



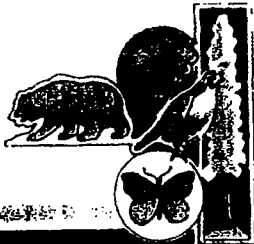
Thomas A. Dumit, President



Susan M. Meyer, Secretary

(CALIF. - 637)

PATENT  
REEL: 8031 FRAME: 0931



State  
of  
California  
SECRETARY OF STATE

MAGNITUDE COMPRESSION SYSTEMS, INC.  
(FORMERLY: CHARGER INDUSTRIES)

I, *BILL JONES*, Secretary of State of the State of California,  
hereby certify:

That the annexed transcript was prepared by and in  
this office from the record on file, of which it purports to  
be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute  
this certificate and affix the Great  
Seal of the State of California this

JUL 09 1996



*Bill Jones*

Secretary of State

**KIRKLAND & ELLIS**

PARTNERSHIPS INCLUDING PROFESSIONAL CORPORATIONS

200 East Randolph Drive  
Chicago, Illinois 60601

Neil S. Hirshman  
To Call Writer Direct  
312 861-2493

312 861-2000

Facsimile:  
312 861-2200

July 11, 1996

**VIA EXPRESS MAIL**

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231  
Attention: Box Assignments

Re: Request for Recordation of Change of Name Document  
Our Ref. No.: 33756-0012-3

Dear Sir:

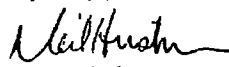
Enclosed is a certified copy of the Certificate of Amendment of Articles of Incorporation of Charger Industries, Inc. dated as of June 25, 1996 evidencing the name change to Magnitude Compression Systems, Inc.

It is respectfully requested that the enclosed document be recorded on the Patent and Trademark Office assignment records for the United States patent application and patents that are identified on the Recordation Form Cover Sheet.

Also enclosed is the Patent Recordation Form Cover Sheet and our check in the amount of \$200.00 in payment of the required recording fee. Any additional charges should be applied to Office Deposit Account No. 22-0440.

Please forward any correspondence and the original recorded document to my attention.

Very truly yours,

  
Neil S. Hirshman

Enclosures

London

Los Angeles

New York

**PATENT**

Washington D.C.

RECORDED: 07/12/1996

REEL: 8031 FRAME: 0933