

11-16-1998

1R SHEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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ILY

11-16-98

To the Honorable Commissioner

100877917

is attached original documents or copy thereof.

1. Name of conveying party(ies):

Mark Lift Industries, Inc.

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State Delaware
☐ Other _____

Additional name(s) of conveying party(ies) attached? ☐ Yes ☐ No

3. Nature of conveyance:

- ☐ Assignment ☒ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: September 29, 1992

2. Name and address of receiving party(ies)

Name: Terex Corporation

Internal Address: _____

Street Address: 500 Post Rd. E.

City: Westport State: CT ZIP: 06880

- ☐ Individual(s) citizenship _____
☐ Association _____
☐ General Partnership _____
☐ Limited Partnership _____
☒ Corporation-State Delaware
☐ Other _____

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☐ No

(Designations must be a separate document from assignment)

Additional name(s) & address(es) attached? ☐ Yes ☐ No

4. Application number(s) or patent number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,118,088

Additional numbers attached? ☐ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Eric I Cohen, Esq.

Internal Address: Terex Corporation

Street Address: 500 Post Rd. E., Suite 320

City: Westport State: CT ZIP: 06880

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

03-2090

(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.

Eric I Cohen

Name of Person Signing

Signature

11/3/98

Date

Total number of pages including cover sheet, attachments, and document: 4

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

TRADEMARK
 REEL: 1812 FRAME: 0399

11/10/1998 JUDITHS 00000217 1118088
 01 FC:481

Office of the Secretary of State

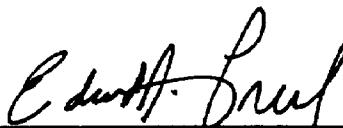
I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP WHICH MERGES:

"MARK LIFT INDUSTRIES, INC." A DELAWARE CORPORATION,
WITH AND INTO "TEREX CORPORATION" UNDER THE NAME OF "TEREX CORPORATION", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF SEPTEMBER, A.D. 1992, AT 9 O'CLOCK A.M.



2106001 8100M

981047994


Edward J. Freel, Secretary of State

8906565

AUTHENTICATION:

DATE: 02-06-98

TRADEMARK
REEL: 1812 FRAME: 0400

**CERTIFICATE OF OWNERSHIP AND MERGER
OF**

MARK LIFT INDUSTRIES, INC.
(a Delaware corporation)
INTO
TEREX CORPORATION
(a Delaware corporation)

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:00 AM 09/29/1992
922755206 - 2106001

Pursuant to the provisions of Section 253 of the General Corporation Law of the State of Delaware, the undersigned corporation hereby certifies as follows:

1. Terex Corporation (formerly, Terex U.S.A. Inc., and hereinafter referred to as the "Corporation") is a business corporation organized pursuant to the laws of the State of Delaware which filed its original certificate of incorporation with the Secretary of State of the State of Delaware on October 30, 1986.
2. The Corporation is the owner of all of the outstanding shares of capital stock of Mark Lift Industries, Inc. (hereinafter referred to as "Mark"), a business corporation organized pursuant to the laws of the State of Delaware which filed its original certificate of incorporation with the Secretary of State of the State of Delaware on December 5, 1991.
3. Mark is hereby merged into the Corporation. The Corporation shall be the surviving corporation from and after the effective time of the merger.
4. The Board of Directors of the Corporation, as of September 28, 1992, adopted the following resolutions to merge Mark into the Corporation:

RESOLVED, that Mark Lift Industries, Inc., a Delaware corporation ("Mark") be merged with and into the Corporation, and that all of the estates, properties, rights, privileges, powers and franchises of Mark be vested in and held and enjoyed by the Corporation, as fully and entirely and without change or diminution as the same were before held and enjoyed by Mark in its name.

RESOLVED, that, in connection with the above-described merger, the Corporation assume all of the obligations of Mark.

RESOLVED, that this Certificate of Ownership and Merger be adopted and that any of the officers of the Corporation be, and each of them hereby is, authorized, empowered and directed to file and carry out the provisions of said Certificate of Ownership and Merger, and to prepare, execute and file

any and all documents which they shall deem necessary or advisable in order to carry out the purposes and intentions of the Certificate of Ownership and Merger, and to file such state and federal information and tax returns as they shall deem necessary or appropriate.

RESOLVED, that the Corporation hereby authorizes, empowers and directs any officer of the Corporation (i) to do all such acts and things, (ii) to execute all such certificates and documents, (iii) to make such changes to any of the foregoing, and (iv) to pay all such fees and expenses as they shall deem necessary or appropriate to carry out and comply with the intents and provisions of the foregoing resolutions and the terms and provisions of any and all laws, agreements, documents, and instruments in connection therewith, and all such other acts and doings of the officers and directors of the Corporation, whether heretofore or hereafter done or performed in furtherance of the foregoing resolutions, are hereby in all respects ratified, approved, confirmed and authorized.

5. In connection with the merger, and from and after the effective time thereof, the Certificate of Incorporation of the Corporation shall continue in full force and effect as the Certificate of Incorporation of the surviving corporation.

6. The merger herein certified has been approved in writing pursuant to Section 228 of the Delaware General Corporation Law by the holders of all of the outstanding stock of the Corporation entitled to vote.

7. The merger herein certified shall become effective in the State of Delaware on September 30, 1992.

Dated: September 28, 1992

TEREX CORPORATION

By: 

Randolph W. Lenz, President

Attest:

By: 

Marvin B. Rosenberg, Secretary