

OMB No. 0651-001 (exp. 4/94)

TR



To the Honorable Commissioner of Patents and

100927661

documents or copy thereof

1. Name of conveying party(ies):

OPI I, Inc.

- Individual(s), Association, General Partnership, Limited Partnership, Corporation-State, Other Delaware

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

2. Name and address of receiving party(ies)

Name: OP II, Inc.

Internal Address: Suite 200

Street Address: 1615 South Congress Avenue

City: Delray Beach State: FL Zip: 33445

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State Florida, Other

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

(Designations must be a separate document: from assignment) Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance: 12-7-98

- Assignment, Merger, Security Agreement, Change of Name, Other

Execution Date: December 23, 1996

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

A. Trademark Application No.s(s)

B. Trademark Registration No.(s)

659,933

Additional numbers attached? Yes No

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

Name: Kimberly A. Collins, Esq. Internal Address: Thorp Reed & Armstrong One Riverfront Center Street Address: 20 Stanwix Street City: Pittsburgh State: PA ZIP: 15222

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:

20-0888

(Attach duplicate copy of this page if paying by deposit account)

12/18/1998 JSHADAZZ 00000036 659933

FC:481

40.00 OP

DO NOT USE THIS SPACE

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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.

Kimberly A. Collins Name of Person Signing

Signature of Kimberly A. Collins

2/1/99 Date

Total number of pages including cover sheet, attachments, and documents:

04-14-1998



REMARKS ONLY

MAR 23 1998

To 100684734

Remarks: Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

OPI I, 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, 1996

2. Name and address of receiving party(ies)

Name: OP II, Inc.

Internal Address: 1615 South Congress Avenue

Street Address: Suite 200

City Delray Beach State: FL Zip: 33445

- 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 to 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)

659,933

Additional numbers attached? Yes No

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

Name: Kimberly A. Collins

Internal Address: Thorp Reed & Armstrong

Street Address: One Riverfront Center
9th Floor

City: Pgh State: PA ZIP: 15222

6. Total number of applications and registrations involved: 1

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

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- Authorized to be charged to deposit account

8. Deposit account number:

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(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.

Kimberly A. Collins
Name of Person Signing

Signature

March 25, 1998
Date

Total number of pages including cover sheet, attachments, and documents:

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 MERGER, WHICH MERGES:

"OPI I, INC.", A DELAWARE CORPORATION,

WITH AND INTO "OP II, INC." UNDER THE NAME OF "OP II, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF FLORIDA, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-THIRD DAY OF DECEMBER, A.D. 1996, AT 3 O'CLOCK P.M.

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



Edward J. Freel

Edward J. Freel, Secretary of State

2698485 8100M

960380858

AUTHENTICATION:

8258115

DATE:

12-24-96

TRADEMARK

REEL: 1828 FRAME: 0583

CERTIFICATE OF MERGER
OF
OPI I, INC.
INTO
OP II, INC.

The undersigned corporation does hereby certify:

FIRST: That the names and states of incorporation of each of the constituent corporations of the merger are as follows (together, the "Constituent Corporations"):

<u>NAME</u>	<u>STATE OF INCORPORATION</u>
OPI I, Inc.	Delaware
OP II, Inc.	Florida

SECOND: That an Agreement and Plan of Merger between the parties to the merger has been approved, adopted, certified, executed and acknowledged by each of the Constituent Corporations in accordance with the requirements of Section 252 of the General Corporation Law of Delaware.

THIRD: That the name of the surviving corporation of the merger is OP II, Inc., a Florida corporation (the "Surviving Corporation").

FOURTH: That the Articles of Incorporation of the Surviving Corporation shall continue in full force and effect as the Articles of Incorporation of the corporation surviving the merger.

FIFTH: That the executed Agreement and Plan of Merger is on file at the principal place of business of the Surviving Corporation, the address of which is 1615 South Congress Avenue, Suite 200, Delray Beach, Florida 33444.

SIXTH: That a copy of the Agreement and Plan of Merger will be furnished, on request and without cost, to any stockholder of any Constituent Corporation.

SEVENTH: That the Surviving Corporation survives the merger and may be served with process in the State of Delaware in any proceeding for enforcement of any obligation of any constituent Delaware corporation as well as for enforcement of any obligation of the Surviving Corporation arising from the merger, including any suit or other proceeding to enforce the right of any stockholder as determined in appraisal proceedings pursuant to the provisions of Section 262 of the General Corporation Law of Delaware, and it does hereby irrevocably appoint the Secretary of State of Delaware as its agent to accept service of process in any such suit or other

proceeding. The address to which a copy of such process shall be mailed by the Secretary of State of Delaware is 1615 South Congress Avenue, Suite 200, Delray Beach, Florida 33444, until the Surviving Corporation shall have hereafter designated in writing to the said Secretary of State a different address for such purpose.

EIGHTH: That the effective date of the merger shall be December 29, 1996.

Signed this 17 day of December, 1996.

OP II, INC.

By: Robert Totte
Printed Name: Robert Totte
Its: President

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513



12-07-1998

U.S. Patent & TMO/TM Mail Rcpt Dt. #34

[Handwritten signature]

Date: 12-07-98

TRADEMARK
Attorney Docket No.: RE180

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: SUNBEAM
Registration No.: 659,933
Registration Date: March 25, 1958
Registrant: OP II, Inc.

REQUEST FOR CORRECTION OF RECORDATION ASSIGNMENT

To: Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

REEL 1710
Frame 019

Dear Sir:

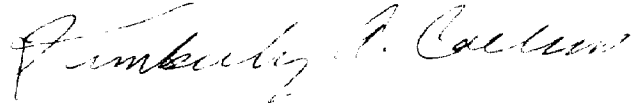
On August 21, 1997, a Recordation Form Cover Sheet and Certificate of Merger evidencing the merger of OPI I, Inc., a Delaware corporation, with OP II, Inc., a Florida corporation, was filed with the U.S.P T.O. A copy of the Recordation Form Cover Sheet and Certificate of Name Change is attached.

Although OP II, Inc. is a Florida Corporation, as indicated in the Certificate of Merger, the Recordation Form Cover Sheet incorrectly identified OP II, Inc. as a Delaware Corporation.

Additionally, although the effective date of the merger is the date on which the Certificate of Merger was filed with the Office of the Secretary of State of Delaware, namely December 23, 1996, as shown on the Certificate of Merger which was included with the Recordation Form Cover Sheet, the Recordation Form Cover Sheet incorrectly identified September 29, 1996 as the execution date.

It is respectfully submitted that both of these errors were obvious as the information clearly contradicts the information provided in the documents, namely, the Certificate of Name Change, which were submitted with the original Recordation Form Cover Sheet. Therefore, pursuant to Section 503.06 of the Trademark Manual Examining Procedure, Registrant respectfully requests that the corrected Cover Sheet be recorded and the respective office records be corrected.

Respectfully submitted,



Kimberly A. Collins
PA Id. No. 76998
THORP REED & ARMSTRONG
One Riverfront Center
Pittsburgh, PA 15222
(412) 394-7775

Dated: 12/4/98

Attorneys for Registrant