

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

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U.S. Patent & TMOFc/T

06-22-2000

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



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RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

MRO 18/2000

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  
Effective Date  
Month Day Year

Change of Name

Other

Conveying Party

Mark if additional names of conveying parties attached

Name

Execution Date  
Month Day Year

Formerly

Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)     
City State/Country Zip Code

Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship/State of Incorporation/Organization

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.)

06/20/2000 ASCOTT 00000134 500357 1072223

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01 FC:481 40.00 CH  
02 FC:482 25.00 CH

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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: 002092 FRAME: 0091

**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

212 226 7700

Name

Mary A. Donovan, Esq.

Address (line 1)

Donovan & Yee LLP

Address (line 2)

110 Greene Street - Suite 700

Address (line 3)

New York, New York 10012

Address (line 4)

**Pages**

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

#

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**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)**

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**Number of Properties**

Enter the total number of properties involved.

#

2

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

65.00

Method of

Enclosed

Deposit Account

Deposit Account

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

Deposit Account Number:

#

50-0357

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.

Mary A. Donovan



May 18, 2000

Name of Person Signing

Signature

Date Signed

State of Delaware  
Office of the Secretary of State

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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:

"NYTRNG INC.", A DELAWARE CORPORATION,

WITH AND INTO "NYTRNG SERVICES" UNDER THE NAME OF "NYTRNG SERVICES", A BUSINESS TRUST ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTIETH DAY OF DECEMBER, A.D. 1999, AT 2:30 O'CLOCK P.M.

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



*Edward J. Freel*

Edward J. Freel, Secretary of State

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AUTHENTICATION: 0177796

DATE: 01-04-00

TRADEMARK  
REEL: 002092 FRAME: 0093

**CERTIFICATE OF MERGER**

**OF**

**NYTRNG INC.  
(a Delaware corporation)**

**INTO**

**NYTRNG SERVICES  
(a Delaware Business Trust)**

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**Pursuant to Sections 103 and 254 of the General  
Corporation Law of the State of Delaware  
and Title 12, Section 3815 of the Delaware Code**

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NYTRNG Inc., a Delaware corporation (the "Corporation"), desires to merge with and into NYTRNG Services, a Delaware Business Trust ("Services"), pursuant to the provisions of Section 254 of the General Corporation Law of the State of Delaware and Title 12, Section 3815 of the Delaware Code (the "Merger"), and Services hereby certifies as follows:

**FIRST:** The names and states of incorporation of the Constituent Parties which plan to merge hereby (the "Constituent Parties") are as follows:

<u>Name</u>	<u>State of Formation</u>
NYTRNG Inc.	Delaware
NYTRNG Services	Delaware

**SECOND:** An Agreement and Plan of Merger, dated as of December 30, 1999, between the Corporation and Services (the "Merger Agreement") has been approved, adopted, certified, executed and acknowledged by each of the Constituent Parties in accordance with the

requirements of Section 254 of the General Corporation Law of the State of Delaware ("DGCL") and Title 12, Section 3815 of the Delaware Code.

**THIRD:** The surviving entity shall be NYTRNG Services (the "Surviving Entity").

**FOURTH:** The executed Merger Agreement is on file at the principal place of business of the Surviving Entity. The address of the principal place of business of the Surviving Entity is Corporate Center I at International Plazz, 2202 NW Shore Boulevard, Tampa, Florida.

**FIFTH:** A copy of the executed Merger Agreement will be furnished by the Surviving Entity, on request and without cost, to the sole stockholder of the Corporation or the beneficial owner and trustee of Services.

**SIXTH:** The Merger Agreement between the Constituent Parties provides that the Merger herein certified shall be effective at 3:00 p.m. on December 30, 1999 in the State of Delaware.

[Remainder of the page intentionally left blank]

IN WITNESS WHEREOF, NYTRNG Services has caused this Certificate of Merger to be executed by their respective duly authorized officers as of this 30th day of December, 1999.

NYTRNG Services

By: Capital Trust Company of Delaware, Inc., not in  
its individual capacity, but solely as  
Trustee

By:   
Name: David Eppes  
Title: Director

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