

10-17-2000

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

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



101489468

### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

#### Submission Type

New **10-2-00**

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

Execution Date  
Month Day Year

Name

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.)

#### FOR OFFICE USE ONLY

10/16/2000 NTHAII 00000245 274575

01 FC:481 40.00 OP  
02 FC:482 250.00 OP

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

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: 002156 FRAME: 0546

**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

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages**

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

#

4

**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)

274,575 531,128 1,236,179

275,715 534,532 1,439,983

369,025 681,089 1,347,909

**Number of Properties**

Enter the total number of properties involved.

#

11

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

290.00

Method of Payment:

Enclosed

Deposit Account

Deposit Account

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

Deposit Account Number:

#

02-4467

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.

Daniel A. Crowe

Signature

Date Signed

*Daniel A. Crowe*

9-27-00

RECORDATION FORM COVER SHEET  
CONTINUATION  
TRADEMARKS ONLY

**Conveying Party**

Enter Additional Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

Formerly

Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship State of Incorporation/Organization

**Receiving Party**

Enter Additional Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AK/A/T/A

Composed of

Address (line 1)

Address (line 2)

Address (line 3)     
City State/Country Zip Code

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Corporation  Association

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**Trademark Application Number(s) or Registration Number(s)**

Mark if additional numbers attached

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Trademark Application Number(s)

Registration Number(s)

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1,457,318	<input type="text"/>	<input type="text"/>
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# STATE OF MISSOURI

ROY D. BLUNT, Secretary of State

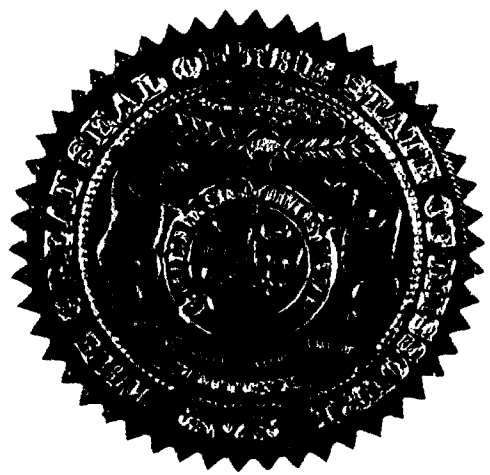
CORPORATION DIVISION

## Certificate of Amendment

WHEREAS, DUKE MANUFACTURING CO. (FORMERLY: DUKE MANUFACTURING COMPANY II)  
a corporation organized under The General and Business Corporation Law has delivered to me a Certificate of Amendment of its Articles of Incorporation and has in all respects complied with the requirements of law governing the amendment of Articles of Incorporation under The General and Business Corporation Law.

NOW, THEREFORE, I, ROY D. BLUNT, Secretary of State of the State of Missouri, do hereby certify that I have filed said Certificate of Amendment as provided by law, and that the Articles of Incorporation of said corporation are amended in accordance therewith.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 3rd day of January, 19 91.



*Roy D. Blunt*  
Secretary of State



**STATE OF MISSOURI . . . Office of Secretary of State**  
**ROY D. BLUNT, Secretary of State**

**Amendment of Articles of Incorporation**  
*(To be submitted in duplicate)*

HONORABLE ROY D. BLUNT  
SECRETARY OF STATE  
STATE OF MISSOURI  
P.O. BOX 778  
JEFFERSON CITY, MO 65102

Pursuant to the provisions of The General and Business Corporation Law of Missouri, the undersigned Corporation certifies the following:

1. The present name of the Corporation is Duke Manufacturing Company II

The name under which it was originally organized was Duke Manufacturing Company II

2. An amendment to the Corporation's Articles of Incorporation was adopted by the shareholders on \_\_\_\_\_  
November 20, 1990, 19 \_\_\_\_\_.

3. Articles ~~Number I and VII~~ are amended to read as follows:

Article I

The name of the corporation is: Duke Manufacturing Co.

Article VII

See attachment.

*(If more than one article is to be amended or more space is needed attach fly sheet.)*

## Article VII

The corporation is formed for the following purposes:

(a) In general, to carry on any business which is lawful and proper for a corporation organized and existing under the General and Business Corporation Law of Missouri, including, but not limited to, the manufacturing and selling of restaurant equipment; and

(b) In general, to carry on any lawful purpose whatsoever in connection with the foregoing which is calculated directly or indirectly to promote the interest of the corporation or to enhance the value of its property; and to do or take each and every other action suitable or proper for the accomplishment of these purposes or to the attainment of any one or more of the objectives hereinabove enumerated, which at any time shall appear conducive to or expedient for the protection or benefit of the corporation.

(c) Notwithstanding any powers and purposes enumerated in the Articles of Incorporation of the corporation, and any amendments thereto, and further notwithstanding any other powers, purposes or resolutions of the corporation, the corporation, its officers, directors and any other individual or person acting on behalf of the corporation shall be prohibited from making any draw in excess of TWO MILLION SIX HUNDRED THOUSAND DOLLARS (\$2,600,000.00) on any loan by the Industrial Development Authority of Pettis County, Missouri, for the issuance of FIVE MILLION DOLLARS (\$5,000,000.00) Variable Rate Demand Private Activity Bonds, Series 1990 (Duke Manufacturing Company II Project), without first having obtained, by resolution in writing, the unanimous consent of all of the shareholders of all of the common stock of the Corporation then outstanding and eligible to vote thereon.

(d) Paragraphs (c) and (d) of Article VII shall not be amended except by the unanimous consent of all of the shareholders of all of the common stock of the Corporation then outstanding and eligible to vote thereon.

IN WITNESS WHEREOF, the undersigned, James Duke Johnson  
President or

President  
Vice-President has executed this instrument and its

Secretary  
Secretary or Assistant Secretary has affixed its corporate seal hereto and

attested said seal on the 3rd day of December, 19 90.

PLACE  
CORPORATE SEAL  
HERE.  
(IF NO SEAL, STATE "NONE.")

Duke Manufacturing Company II  
Name of Corporation

ATTEST:

John F. Hake  
Secretary or Assistant Secretary  
John F. Hake

By James Duke Johnson  
President or Vice-President  
James Duke Johnson

FILED AND CERTIFICATE  
ISSUED  
JAN 03 1991

State of Missouri  
County of St Louis SS

I, MARK Z SCHRAIER, a Notary Public, do hereby certify that  
on this 3rd day of December, 19 90, personally appeared before me  
James Duke Johnson who, being by me first duly sworn,  
declared that he is the President  
of Duke Manufacturing Company II  
that he signed the foregoing document as President of the corporation, and that the  
statements therein contained are true.

Roy D. Blunt

NOTARIAL SEAL

Mark Z Schraier  
Notary Public

My commission expires MARK Z. SCHRAIER  
NOTARY PUBLIC, STATE OF MISSOURI  
MY COMMISSION EXPIRES APRIL 28, 1992  
ST. LOUIS COUNTY