FORM PTO-1618A Expires 06/30/99 OMB 0651-0027 11-21-2000



101522570

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

## 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 Conveyance Type License				
X New Assignment License				
Resubmission (Non-Recordation) Security Agreement Nunc Pro Tunc Assignment  Effective Date				
Correction of PTO Error  X Merger  Month Day Year				
Reel # Change of Name Corrective Document				
Reel # Strame # Other				
Conveying Party  Mark if additional names of conveying parties attached Execution Date Month Day Year				
Name United Clays, Inc. 10121999				
Formerly				
Individual General Partnership Limited Partnership X Corporation Association				
Other				
X Citizenship/State of Incorporation/Organization Delaware				
Receiving Party Mark if additional names of receiving parties attached				
Name Unimin Corporation				
DBA/AKA/TA				
Composed of				
Address(Nine 1) 258 Elm Street				
Address (line 2)				
Address (line 3) New Canaan CT State/Country Zip Code				
Individual General Partnership Limited Partnership If document to be recorded is an assignment and the receiving party is				
X Corporation Association not domiciled in the United States, an appointment of a domestic				
Other Control of the				
X Citizenship/State of Incorporation/Organization Delaware				
FOR OFFICE USE ONLY				

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 as 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 D651-0027, 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

FORM PTO- Expires 06/30/99 OMB 0651-0027	1618B	Page 2	U.S. Department of Commerce Patent and Trademark Office TRADEMARK	
Domestic Representative Name and Address Enter for the first Receiving Party only.				
Name				
Address (line 1)				
Address (line 1)				
Address (line 2)				
Address (line 3)	4			
Address (line 4)				
Correspondent Name and Address Area Code and Telephone Number 203-597-5116				
			203-397-3116	
Name	William C. Cru	ıtcher		
Address (line 1)	Gager & Peters	son, LLP		
Address (line 2)	One Exchange E	Place		
Address (line 3)	Waterbury, CT	06722 2480		
Address (inters)	waterbury, cr	00722-2480		
Address (line 4)				
Pages	Enter the total number of including any attachme	of pages of the attached conveyance donts.	pcument # 3	
Trademark Application Number(s) or Registration Number(s) Mark if additional numbers attached				
		er <u>or the Registration Number (DO NOT ENTER</u> BO	* * *	
1 rac	demark Application Num	2058262 2058262	tration Number(s)	
L			}	
		1985775		
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 Payment: Enclosed X Deposit Account				
Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.)				
Deposit Account Number: # 07-0045				
		Authorization to charge additional fees:	Yes X 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.				
William C. Crutcher Milliam C. Crutcher 2, 2000				
Name	of Person Signing	Signature	Date Signed	

TRADEMARK
REEL: 002180 FRAME: 0320

# State of Delaware

PAGE

### 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:

"UNITED CLAYS, INC.", A DELAWARE CORPORATION,

WITH AND INTO "UNIMIN CORPORATION" UNDER THE NAME OF "UNIMIN CORPORATION", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWELFTH DAY OF OCTOBER, A.D. 1999, AT 9:30 O'CLOCK A.M.



AUTHENTICATION:

0362002

001173216

8100M

0739808

04-05-00 DATE:

TRADEMARK

REEL: 002180 FRAME: 0321

99 15:07 \$200 968 1977

\\LEGGLI\TIS\KOKAKCEE\EETERBYAG-Clerkeren

UNIMIN KALAPOS

2005-005

10-12-99

#### CERTIFICATE OF OWNERSHIP AND MERGER OF UNITED CLAYS, INC. WITH AND INTO UNIMIN CORPORATION

LINDSEY

UNIMIN CORPORATION (the "Surviving Corporation"), a corporation organized under the laws of Delaware, hereby submits this Certificate of Ownership and Merger for the purpose of merging its subsidiary corporation, UNITED CLAYS, INC. (the "Merging Corporation"), a corporation organized under the laws of Delaware, with and into the Surviving Corporation pursuant to the provisions of Delaware Code Title 8, Section 253.

- A. The Surviving Corporation owns all the capital stock of the Merging Corporation.
- B. The following resolution was duly approved and adopted by the Board of Directors of the Surviving Corporation in the manner prescribed by law on October 11, 1999;

RESOLVED that the following Plan of Merger calling for the merger of UNITED CLAYS, INC. with and into the Corporation is hereby approved and adopted:

### UNIMIN CORPORATION UNITED CLAYS, INC. PLAN OF MERGER

- United Clays, Inc., a Delaware corporation (the "Merging Corporation"), is a whollyowned subsidiary of Unimin Corporation, a Delaware corporation (the "Surviving Corporation").
- The Merging Corporation will merge with and into the Surviving Corporation, effective as of the filing of the appropriate Certificate of Ownership and Merger with the Secretary of State for the State of Delaware (the "Effective Time"). The Surviving Corporation will be the surviving corporation of the merger.
- 3. After the marger, the Surviving Corporation will continue to have the name Unimin Corporation.
- The merger of the Merging Corporation into the Surviving Corporation will be effected pursuant to the terms and conditions of this Plan. At the Effective Time, the corporate existence of the Merging Corporation will cease, and the corporate existence of the Surviving Corporation will continue.

TRADEMARK **REEL: 002180 FRAME: 0322**  ./99 15:07 **2**203 988 1977

UNIMIN KALAPOS

**2**005 € 003

Ø1007/007

- 5. At the Effective Time, the outstanding shares of the corporations participating in the merger will be affected as follows:
  - a. Surviving Corporation: The outstanding shares of the Surviving Corporation will not be converted, exchanged or altered in any manner as a result of the merger and will remain outstanding as shares of the Surviving Corporation.
  - b. Merging Corporation: Each outstanding share of the Merging Corporation shall be cancelled as a result of the merger.
- 6. The Certificate of Incorporation of the Surviving Corporation is not amended under this Plan.
- 7. After approval of this Plan by the Board of Directors of the Surviving Corporation, and at any time before the merger's Effective Time, the Board of Directors of the Surviving Corporation may, in its discretion, terminate or amend this Plan of Merger.

This 12th day of October, 1999.

UNIMIN CORPORATION

By:

Kevin F. Crawford

President and Chief Executive Officer

**RECORDED: 11/07/2000** 

TRADEMARK
REEL: 002180 FRAME: 0323