

12-28-2000

FORM PTO-1594(modified) RECOR

1



101565315

U.S. Department of Commerce
Patent and Trademark Office

12.15.00

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

BURNHAM PROPERTIES CORPORATION

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-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: December 21, 1999

2. Name and address of receiving party(ies)

Name: BOILER PROPERTIES, INC.

Internal Address: _____ 00

Street Address: 101 Franklin StreetKewanee, IL 61443

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

If assignee is not domiciled in the United States, a domestic representative designation is attached:

☐ yes ☒ no

(Designations must be a separate document form assignment) addition 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)

See Exhibit A

Additional numbers attached: ☒ yes ☐ no

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

Name: HOWSON AND HOWSON

Internal Address: _____

Street Address: P.O. BOX 457One Spring House Corporate CenterCity: Spring House State: PA Zip: 194776. Total number of applications and registrations involved:..... 307. Total fee (37 CFR 3.41).....\$ 765.00☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

08-3040

(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.

Stanley B. Kita

Name of Person Signing

Signature

Date

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

EXHIBIT A

Page 1

BURNHAM		
Mark	Registration Number	Registration Date
BURNHAM	1652229	07/30/91
AMERICA'S BOILER COMPANY	1725393	10/20/92
AMERICA'S HOME HEATING TEAM	1707987	08/18/92
TRUE BLUE LIMITED WARRANTY	1764865	04/13/93
WINTER WARMTH ASSURANCE	1763254	04/06/93
INDEPENDENCE	1832113	04/19/94
MINUTEMAN	1832112	04/19/94
REVOLUTION	2191275	09/22/98
EVOLUTION	2293040	11/16/99
THERMAL SOLUTIONS	2343871	04/18/00
SERPENTINE DESIGN	2216752	01/05/99
BURNHAM INDUSTRIAL AND DESIGN	2342821	04/18/00
SPIRIT	1988803	07/23/96
BURNHAM (Canada)	432681	09/02/94
DESIGN OF A FLAME	1681048	03/31/92
Design of the Letters "BF"	Application Serial Number 74/388732	Filed 05/05/93
ALLIANCE	common law	
DUO-RAD	1724611	10/13/92
BASE-RAY	1685200	05/05/92

EXHIBIT A

Page 2

GOVERNALE		
Mark	Registration Number	Registration Date
GOVERNALE	1807332	11/30/93

EXHIBIT A

Page 3

KEWANEE		
Mark	Registration Number	Registration Date
KEWANEE	166368	04/03/23
KEWANEE	503115	10/19/48
KEWANEE	767569	03/31/64
CLASSIC	1023696	10/28/75
KEWANEE	1507997	10/11/88
KEWANEE AND CIRCULAR FLAME DES	2083812	07/29/97
FLAME DESIGNS	2294590	11/23/99
RETROFIT & Design	1149310	03/24/81
FLAME DESIGN	2154287	04/28/98
BOILER COMMAND	1164446	08/11/81
CAMCOMMAND	common law	
PHOENX	common law	

EXHIBIT A

Page 4

NEW YORKER BOILER		
Mark	Registration Number	Registration Date
THE NEW YORKER & Design	493706	07/09/85
NEW YORKER	1741143	12/22/92
MicroTEK-3DV	common law	

09194824

9341/0149 50 001 Page 1 of 7

1999-12-27 16:28:25

Cook County Recorder

33.00

File Number 6082-089-9



State of Illinois
Office of
The Secretary of State

Whereas,

ARTICLES OF MERGER OF
BOILER PROPERTIES, INC.

INCORPORATED UNDER THE LAWS OF THE STATE OF ILLINOIS HAVE BEEN
FILED IN THE OFFICE OF THE SECRETARY OF STATE AS PROVIDED BY THE
BUSINESS CORPORATION ACT OF ILLINOIS, IN FORCE JULY 1, A.D. 1984.

Now Therefore, I, Jesse White, Secretary of State of the State of Illinois, by virtue of the powers vested in me by law, do hereby issue this certificate and attach hereto a copy of the Application of the aforesaid corporation.

In Testimony Whereof, I hereto set my hand and cause to be
affixed the Great Seal of the State of Illinois,
at the City of Springfield, this 21ST
day of DECEMBER A.D. 1999 and of
the Independence of the United States the two
hundred and 24TH .



Jesse White

Secretary of State

C-212.3

BOX 170

TRADEMARK

REEL: 002202 FRAME: 0448

Form **BCA-11.25**

(Rev. Jan. 1999)

**ARTICLES OF MERGER
CONSOLIDATION OR EXCHANGE**

09194824

File #

6082-089-9

Jesse White
Secretary of State
Department of Business Services
Springfield, IL 62756
Telephone (217) 782-6961
<http://www.sos.state.il.us>

FILED

DEC 21 1999

JESSE WHITE
SECRETARY OF STATEThis space for use by
Secretary of State

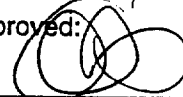
Date

12/21/99

Filing Fee \$

100.00

Approved:

**DO NOT SEND CASH!**Remit payment in check or money
order, payable to "Secretary of State."Filing Fee is \$100, but if merger or
consolidation involves more than 2
corporations, \$50 for each additional
corporation.

1. Names of the corporations proposing to ^{merge}
~~consolidate~~ exchange shares, and the state or country of their incorporation:

Name of Corporation	State or Country of Incorporation	Corporation File Number
<u>Burnham Properties Corporation</u>	<u>Delaware</u>	
<u>Boiler Properties, Inc.</u>	<u>Illinois</u>	

2. The laws of the state or country under which each corporation is incorporated permits such merger, consolidation or exchange.

3. (a) Name of the ^{surviving}
~~new~~ corporation: Boiler Properties, Inc.
~~existing~~

- (b) it shall be governed by the laws of: Illinois

If not sufficient space to cover this point, add one or more sheets of this size.

4. Plan of ^{merger}
~~consolidation~~ is as follows:
~~exchange~~

Attached hereto as Exhibit A.

EXPEDITED
DEC 21 1999
SECRETARY OF STATE

5. ^{merger} Plan or consolidation was approved, as to each corporation not organized in Illinois, in compliance with the laws of the exchange state under which it is organized; and (b) as to each Illinois corporation, as follows:

(The following items are not applicable to mergers under § 11.30 — 90% owned subsidiary provisions. See Article 7.)

(Only "X" one box for each Illinois corporation)

By the shareholders, a resolution of the board of directors having been duly adopted and submitted to a vote at a meeting of shareholders. Not less than the minimum number of votes required by statute and by the articles of incorporation voted in favor of the action taken.

(§ 11.20)

By written consent of the shareholders having not less than the minimum number of votes required by statute and by the articles of incorporation. Shareholders who have not consented in writing have been given notice in accordance with § 7.10 (§ 11.220)

By written consent of ALL the shareholders entitled to vote on the action, in accordance with § 7.10 & § 11.20

Name of Corporation

Boiler Properties, Inc.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. (Not applicable if surviving, new or acquiring corporation is an Illinois corporation)

It is agreed that, upon and after the issuance of a certificate of merger, consolidation or exchange by the Secretary of State of the State of Illinois:

- The surviving, new or acquiring corporation may be served with process in the State of Illinois in any proceeding for the enforcement of any obligation of any corporation organized under the laws of the State of Illinois which is a party to the merger, consolidation or exchange and in any proceeding for the enforcement of the rights of a dissenting shareholder of any such corporation organized under the laws of the State of Illinois against the surviving, new or acquiring corporation.
- The Secretary of State of the State of Illinois shall be and hereby is irrevocably appointed as the agent of the surviving, new or acquiring corporation to accept service of process in any such proceedings, and
- The surviving, new, or acquiring corporation will promptly pay to the dissenting shareholders of any corporation organized under the laws of the State of Illinois which is a party to the merger, consolidation or exchange the amount, if any, to which they shall be entitled under the provisions of "The Business Corporation Act of 1983" of the State of Illinois with respect to the rights of dissenting shareholders.

7. (Complete this item if reporting a merger under § 11.30—90% owned subsidiary provisions.)

- a. The number of outstanding shares of each class of each merging subsidiary corporation and the number of such shares of each class owned immediately prior to the adoption of the plan of merger by the parent corporation, are:

Name of Corporation	Total Number of Shares Outstanding of Each Class	Number of Shares of Each Class Owned Immediately Prior to Merger by the Parent Corporation
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- b. (Not applicable to 100% owned subsidiaries)

The date of mailing a copy of the plan of merger and notice of the right to dissent to the shareholders of each merging subsidiary corporation was _____, _____.
(Month & Day) (Year)

Was written consent for the merger or written waiver of the 30-day period by the holders of all the outstanding shares of all subsidiary corporations received? ☐ Yes ☐ No

(If the answer is "No," the duplicate copies of the Articles of Merger may not be delivered to the Secretary of State until after 30 days following the mailing of a copy of the plan of merger and of the notice of the right to dissent to the shareholders of each merging subsidiary corporation.)

8. The undersigned corporations have caused these articles to be signed by their duly authorized officers, each of whom affirms, under penalties of perjury, that the facts stated herein are true. (All signatures must be in **BLACK INK**.)

Dated 12/21, 99
(Month & Day) (Year)

attested by Tammy L. McEwen
(Signature of Secretary or Assistant Secretary)

Tammy L. McEwen, Secretary/Treasurer
(Type or Print Name and Title)

Dated 12/21, 99
(Month & Day) (Year)

attested by Tammy L. McEwen
(Signature of Secretary or Assistant Secretary)

Tammy L. McEwen, Secretary
(Type or Print Name and Title)

Dated _____, _____
(Month & Day) (Year)

attested by _____
(Signature of Secretary or Assistant Secretary)

(Type or Print Name and Title)

C-195.8

IL020 - 11/9/99 CT System Online

RECORDED: 12/15/2000

Burnham Properties Corporation

(Exact Name of Corporation)

by Ronald L. Griffith
(Signature of President or Vice President)

Ronald L. Griffith, Chairman
(Type or Print Name and Title)

Boiler Properties, Inc.
(Exact Name of Corporation)

by Ronald L. Griffith
(Signature of President or Vice President)

Ronald L. Griffith, Vice President
(Type or Print Name and Title)

(Exact Name of Corporation)

by _____
(Signature of President or Vice President)

(Type or Print Name and Title)

TRADEMARK

REEL: 002202 FRAME: 0451