

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

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

RE MRD
11-22-00

03-30-2001



RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

101670197

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 Continuation
Sheet Attached 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/AKATA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

- 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

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: 002260 FRAME: 0802

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.

#

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)		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1128305"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Number of Properties Enter the total number of properties involved.

#

Fee Amount Fee Amount for Properties Listed (37 CFR 3.41):

\$

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: #

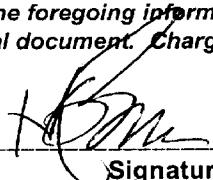
Authorization to charge additional fees: Yes No

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.

H. G. Bruss

Name of Person Signing



Signature

11/17/00

Date Signed

**RECORDATION FORM COVER SHEET
TRADEMARKS ONLY**

Continuation Sheet

Enclosed for recordation are copies of the following documents by which Brockway, Inc. (NY) became Owens-Brockway Glass Container Inc. through a series of mergers and name changes:

1. Certified copy of Certificate of Incorporation of BI Acquisition Corporation (filed in Delaware 09/17/87).
2. Certified copy of Certificate of Amendment of Certificate of Incorporation of BI Acquisition Corporation (name changed to Owens-Brockway Glass Company, Inc. - filed in Delaware 11/16/87).
3. Certified copy of Certificate of Amendment of the Certificate of Incorporation Of Owens-Brockway Glass Company, Inc. (name changed to O-I Brockway Glass, Inc. - filed in Delaware 04/07/88).
4. Certified copy of Certificate of Merger of Brockway, Inc. (NY) into BI Acquisition Corporation (filed in New York 04/11/88).
5. Certified copy of Certificate of Ownership and Merger of BI Acquisition Corporation into O-I Brockway Glass, Inc. (filed in Delaware 04/12/88).
6. Certified copy of Certificate of Merger of O-I Brockway Glass, Inc. into Owens-Illinois Glass Container Inc. (under the name of Owens-Brockway Glass Container Inc. - filed in Delaware 4/30/90).

jmm:11/17/00

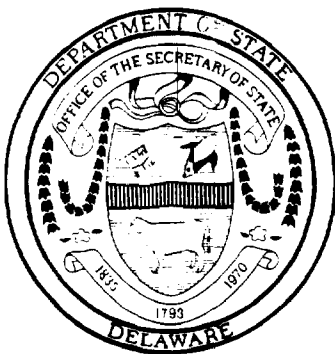


State of DELAWARE



Office of SECRETARY OF STATE

I, Michael Harkins, Secretary of State of the State of Delaware,
do hereby certify that the attached is a true and correct copy of
Certificate of _____ Incorporation
filed in this office on _____ September 17, 1987



Michael Harkins

Michael Harkins, Secretary of State

BY: *M. Magraw*

DATE: _____ April 16, 1991

SEP 17 1987

94M

CERTIFICATE OF INCORPORATION

OF

BI ACQUISITION CORPORATION

The undersigned, a natural person, for the purpose of organizing a corporation for conducting the business and promoting the purposes hereinafter stated, under the provisions and subject to the requirements of the laws of the State of Delaware (particularly Chapter 1, Title 8 of the Delaware Code and the acts amendatory thereof and supplemental thereto, and known, identified and referred to as the "General Corporation Law of the State of Delaware"), hereby certifies that:

FIRST: The name of the corporation (hereinafter called the "corporation") is

BI ACQUISITION CORPORATION

SECOND: The address, including street, number, city, and county, of the registered office of the corporation in the State of Delaware is 229 South State Street, City of Dover, County of Kent; and the name of the registered agent of the corporation in the State of Delaware at such address is The Prentice-Hall Corporation System, Inc.

THIRD: The purpose of the corporation is to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of the State of Delaware.

FOURTH: The total number of shares of stock which the corporation shall have authority to issue is One Thousand (1,000). The par value of each of such shares is One Cent (\$.01). All such shares are of one class and are shares of Common Stock.

FIFTH: The name and the mailing address of the incorporator are as follows:

<u>NAME</u>	<u>MAILING ADDRESS</u>
N. S. Truax	229 South State Street, Dover, Delaware 19901

SIXTH: The corporation is to have perpetual existence.

SEVENTH: Whenever a compromise or arrangement is proposed between this corporation and its creditors or any class of them and/or between this corporation and its stockholders or any class of them, any court of equitable jurisdiction within the State of Delaware may, on the application in a summary way of this corporation or of any creditor or stockholder thereof or on the application of any receiver or receivers appointed for this corporation under the provisions of section 291 of Title 8 of the Delaware Code or on the application of trustees in dissolution or of any receiver or receivers appointed for this corporation under the provisions of section 279 of Title 8 of the Delaware Code order a meeting of the creditors or class of creditors, and/or of the stockholders or class of stockholders of this corporation, as the case may be, to be summoned in such manner as the said court directs. If a majority in number representing three-fourths in value of the creditors or class of creditors, and/or of the stockholders or class of stockholders of this corporation, as the case may be, agree to any compromise or arrangement and to any reorganization of this corporation as consequence of such compromise or arrangement, the said compromise or arrangement and the said reorganization shall, if sanctioned by the court to which the said application has been made, be binding on all the creditors or class of creditors, and/or on all the stockholders or class of stockholders, of this corporation, as the case may be, and also on this corporation.

EIGHTH: For the management of the business and for the conduct of the affairs of the corporation, and in further definition, limitation and regulation of the powers of the corporation and of its directors and of its stockholders or any class thereof, as the case may be, it is further provided:

1. The management of the business and the conduct of the affairs of the corporation shall be vested in its Board of Directors. The number of directors which shall constitute the whole Board of Directors shall be fixed by, or in the manner provided in, the By-Laws. The phrase "whole Board" and the phrase "total number of directors" shall be deemed to have the same meaning, to wit, the total number of directors which the corporation would have if there were no vacancies. No election of directors need be by written ballot.

2. After the original or other By-Laws of the corporation have been adopted, amended, or

repealed, as the case may be in accordance with the provisions of Section 109 of the General Corporation Law of the State of Delaware, and, after the corporation has received any payment for any of its stock, the power to adopt, amend, or repeal the By-Laws of the corporation may be exercised by the Board of Directors of the corporation; provided, however, that any provision for the classification of directors of the corporation for staggered terms pursuant to the provisions of subsection (d) of Section 141 of the General Corporation Law of the State of Delaware shall be set forth in an initial By-Law or in a By-Law adopted by the stockholders entitled to vote of the corporation unless provisions for such classification shall be set forth in this certificate of incorporation.

8. Whenever the corporation shall be authorized to issue only one class of stock, each outstanding share shall entitle the holder thereof to notice of, and the right to vote at, any meeting of stockholders. Whenever the corporation shall be authorized to issue more than one class of stock, no outstanding share of any class of stock which is denied voting power under the provisions of the certificate of incorporation shall entitle the holder thereof to the right to vote at any meeting of stockholders except as the provisions of paragraph (2) of subsection (b) of section 242 of the General Corporation Law of the State of Delaware shall otherwise require; provided, that no share of any such class which is otherwise denied voting power shall entitle the holder thereof to vote upon the increase or decrease in the number of authorized shares of said class.


NINTH: The personal liability of the directors of the corporation is hereby eliminated to the fullest extent permitted by paragraph (7) of subsection (b) of Section 102 of the General Corporation Law of the State of Delaware, as the same may be amended and supplemented.

TENTH: The corporation shall, to the fullest extent permitted by Section 145 of the General Corporation Law of the State of Delaware, as the same may be amended and supplemented, indemnify any and all persons whom it shall have power to indemnify under said section from and against any and all of the

expenses, liabilities or other matters referred to in or covered by said section, and the indemnification provided for herein shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any By-Law, agreement, vote of stockholders or disinterested directors or otherwise, both as to action in his official capacity and as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be a director, officer, employee or agent and shall inure to the benefit of the heirs, executors and administrators of such a person.

ELEVENTH: From time to time any of the provisions of this certificate of incorporation may be amended, altered or repealed, and other provisions authorized by the laws of the State of Delaware at the time in force may be added or inserted in the manner and at the time prescribed by said laws, and all rights at any time conferred upon the stockholders of the corporation by this certificate of incorporation are granted subject to the provisions of this Article ELEVENTH.

dated on September 17, 1987.



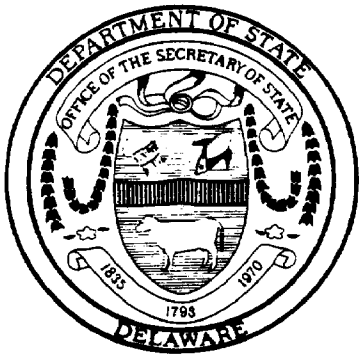
N. S. Truax
Incorporator



State of DELAWARE

Office of SECRETARY OF STATE

I, Michael Harkins, Secretary of State of the State of Delaware,
do hereby certify that the attached is a true and correct copy of
Certificate of Amendment
filed in this office on November 16, 1987



Michael Harkins

Michael Harkins, Secretary of State

BY: *M. Harkins*

DATE: April 16, 1991

CERTIFICATE OF AMENDMENT
OF
CERTIFICATE OF INCORPORATION
OF
BI ACQUISITION CORPORATION

NOV 18 1967

The undersigned, being the President and the Secretary of BI Acquisition Corporation (the "Corporation"), a corporation organized and existing under the laws of the State of Delaware, hereby certify as follows:

(1) That this amendment has been duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware; and

(2) That Article First of the Certificate of Incorporation of the Corporation be, and it hereby is, amended to read in its entirety as follows:

FIRST: The name of the Corporation is:

Owens-Brockway Glass Company, Inc.

TRADEMARK

REEL: 002260 FRAME: 0811

IN WITNESS WHEREOF, we have signed this
Certificate this 13th day of November, 1987.

BI ACQUISITION CORPORATION

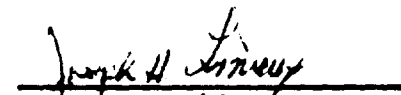
ATTEST:



Secretary

David A. Ward

By:



President

Joseph H. Lemieux

TRADEMARK

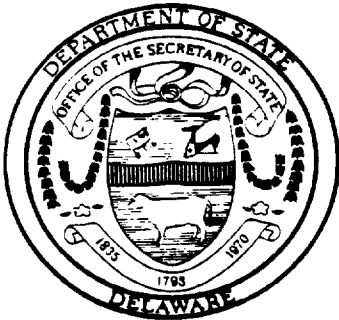
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State of DELAWARE

Office of SECRETARY OF STATE

I, Michael Harkins, Secretary of State of the State of Delaware,
do hereby certify that the attached is a true and correct copy of
Certificate of Amendment
filed in this office on April 7, 1988



Form 130

Michael Harkins
Michael Harkins, Secretary of State

BY: *M. Harkins*

DATE: April 16, 1991

FILED

APR 7 1938

John A. ...
SECRETARY

**CERTIFICATE OF AMENDMENT
OF
THE CERTIFICATE OF INCORPORATION
OF
OWENS-BROCKWAY GLASS COMPANY, INC.**

The undersigned, being a Vice President and the Secretary of Owens-Brockway Glass Company, Inc. (the "Corporation"), a corporation organized and existing under the laws of the State of Delaware, do hereby certify as follows:

(1) That this amendment has been duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

(2) That Article First of the Certificate of Incorporation of the Corporation be, and it hereby is, amended to read in its entirety as follows:

FIRST: The name of this Corporation is:
O-I Brockway Glass, Inc.

IN WITNESS WHEREOF, we have signed this Certificate
this 6th day of April, 1988.

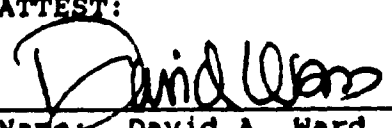
OWENS-BROCKWAY GLASS COMPANY, INC.

By:


Name: Robert J. Lanigan
Title: Chairman of the Board

[SEAL]

ATTEST:


Name: David A. Ward
Title: Secretary

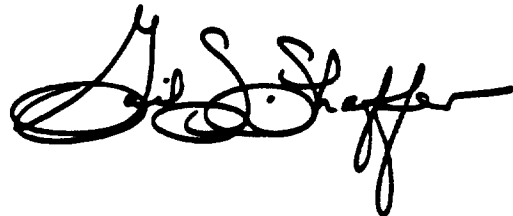
State of New York }
Department of State } ss:

024460

I hereby certify that I have compared the annexed copy with the original document filed by the Department of State and that the same is a correct transcript of said original.

APR 16 1991

Witness my hand and seal of the Department of State on

A handwritten signature in black ink, appearing to read "G. S. Shaffer", written in a cursive style.

Secretary of State

CERTIFICATE OF MERGER

of

Brockway, Inc. (NY),
a New York corporation

into

BI Acquisition Corporation,
a New York corporation

(Under Section 905 of the Business Corporation Law)

It is hereby certified by the corporation named herein as the surviving corporation as follows:

FIRST: The Board of Directors of the corporation named herein as the surviving corporation has adopted a plan of merger setting forth the terms and conditions of merging the corporation named herein as the subsidiary corporation into said surviving corporation.

SECOND: The name of the subsidiary corporation to be merged, the certificate of incorporation of which was filed by the Department of State on June 20, 1907, is Brockway, Inc. (NY) (the "Subsidiary Corporation"). The name under which said corporation was formed was Brockway Machine Bottle Company.

THIRD: The name of the surviving corporation, the certificate of incorporation of which was filed by the Department of State on September 18, 1987, is BI Acquisition Corporation (the "Surviving Corporation"). The name under which said corporation was formed was BI Acquisition Corp.

FOURTH: The designation and number of outstanding shares of each class of stock of the Subsidiary Corporation, and the number of such shares owned by the Surviving Corporation, as set forth in the plan of merger, are as follows:

<u>DESIGNATION</u>	<u>NUMBER OF SHARES OUTSTANDING</u>	<u>NUMBER OF SHARES OWNED BY SURVIVING CORPORATION</u>
Common Shares \$2.50 par value	12,519,985	12,337,632

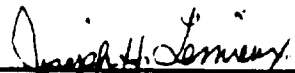
The aforementioned number of outstanding shares is subject to change prior to the effective date of the merger by the exercise of outstanding options. Such change, if it occurs in part or in whole, will not result in the Surviving Corporation, owning less than 90% of the Subsidiary Corporation's outstanding shares.

FIFTH: A copy of the plan of merger has been given by mail on March 5, 1988 to the holders of all of those shares of the Subsidiary Corporation that are not owned by the Surviving Corporation, said date being a date that is at least 30 days before this certificate of merger is to be delivered for filing by the Department of State.

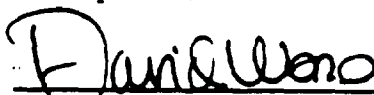
SIXTH: The effective date of the merger herein certified shall be the 11th day of April, 1988.

IN WITNESS WHEREOF, we have subscribed this document on the date set forth below and do hereby affirm, under the penalties of perjury, that the statements contained herein have been examined by us and are true and correct.

Date: March 17, 1988



Joseph H. Lemieux
President of the Surviving
Corporation



David A. Ward
Secretary of the Surviving
Corporation

Verification of One of Signers of Certificate of Merger

STATE OF OHIO)
) SS.:
COUNTY OF LUCAS)

David Ward being duly sworn, deposes and says that he is one of the persons who signed the foregoing certificate of merger on behalf of the corporation named therein as the surviving corporation; that he signed said certificate in the capacity set opposite his signature thereon; that he has read the foregoing certificate and knows the contents thereof; and that the statements contained therein are true to his own knowledge.

David Ward
Name: David Ward
Title: Secretary

Subscribed and sworn to
before me on March 17, 1988.

Shirley J. Broczynski

SHIRLEY J. BROCYNSKI
Notary Public, State of Ohio
My Commission Expires Oct. 13, 1992

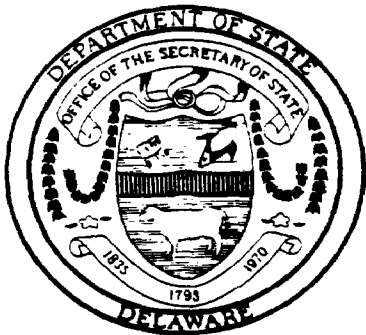


State of DELAWARE



Office of SECRETARY OF STATE

I, Michael Harkins, Secretary of State of the State of Delaware,
do hereby certify that the attached is a true and correct copy of
Certificate of Ownership
filed in this office on April 12, 1988



Michael Harkins

Michael Harkins, Secretary of State

BY: *M. M. [Signature]*

DATE: April 16, 1991

FILED 12:10

APR 18 1968

Hubert H. ...
SECRETARY OF STATE

CERTIFICATE OF OWNERSHIP AND MERGER

of

BI ACQUISITION CORPORATION
(a New York corporation)

(herein referred to as the "Subsidiary Corporation")

into

O-I BROCKWAY GLASS, INC.
(a Delaware corporation)

(herein referred to as the "Corporation")

Pursuant to Section 253 of the General
Corporation Law of the State of Delaware.

It is hereby certified that:

1. The Corporation is a business corporation of the State of Delaware.
2. The Corporation is the owner of all of the outstanding shares of common stock of the Subsidiary Corporation, which is a business corporation of the State of New York.
3. The laws of the States of Delaware and New York permit the merger of the Subsidiary Corporation into the Corporation (the "Merger").
4. Attached hereto as Annex A is a copy of the resolutions adopted as of the date set forth therein by the unanimous written consent of the Board of Directors of the Corporation, providing for the merger of the Subsidiary Corporation with and into the Corporation.

[signature page follows]

IN WITNESS WHEREOF, the officers of the Corporation
have duly executed this Certificate as of April 7, 1988.

O-I BROCKWAY GLASS, INC.

By: Robert J. Lanigan

Name: ROBERT J. LANIGAN

Title: Chairman of the Board

Attest:

David Wans
Secretary

RESOLUTIONS OF THE BOARD OF DIRECTORS
OF

O-I BROCKWAY GLASS, INC.
DATED AS OF APRIL 7, 1988

WHEREAS, O-I Brockway Glass, Inc. (the "Corporation") will own all of the issued and outstanding shares of common stock (the "Shares") of BI Acquisition Corporation (the "Subsidiary Corporation") on April 12, 1988; and

WHEREAS, after the Subsidiary Corporation is a wholly owned subsidiary of the Corporation, the Corporation desires to merge the Subsidiary Corporation with and into itself.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Corporation that the Subsidiary Corporation be merged with and into the Corporation (the "Merger"), and that all of the estate, property, rights, privileges, powers and franchises of the Subsidiary Corporation be vested in and held and enjoyed by the Corporation as fully and entirely and without change or diminution as the same were before held and enjoyed by the Subsidiary Corporation in its name;

FURTHER RESOLVED, that the Corporation assume all of the obligations of the Subsidiary Corporation;

FURTHER RESOLVED, that all of the issued and outstanding Shares of the Subsidiary Corporation be cancelled and extinguished in the Merger, but that the issued and outstanding shares of the Corporation not be affected in any way by the Merger, and each such share shall continue thereafter to represent one issued and outstanding share of the Corporation;

FURTHER RESOLVED, that the Merger shall be effective upon the filing of a Certificate of Ownership and Merger in the State of Delaware;

FURTHER RESOLVED, that the proper officers of the Corporation be, and each of them hereby is, authorized and directed, in the name and on behalf of the Corporation, to execute, file and/or record the documents prescribed by the laws of the States of Delaware, New York and any other appropriate jurisdiction and to do or cause to be done any and all such acts and things, as any such officer may deem necessary, advisable or appropriate in connection with the Merger and the foregoing resolutions.

TRADEMARK

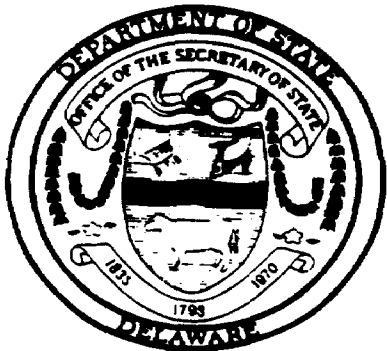
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State of Delaware



Office of Secretary of State

I, MICHAEL HARKINS, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER OF "O-I BROCKWAY GLASS, INC." MERGING WITH AND INTO "OWENS-ILLINOIS GLASS CONTAINER INC." UNDER THE NAME OF "OWENS-BROCKWAY GLASS CONTAINER INC." AS RECEIVED AND FILED IN THIS OFFICE THE THIRTIETH DAY OF APRIL, A.D. 1990, AT 10 O'CLOCK A.M.



721106007


Michael Harkins, Secretary of State

AUTHENTICATION: 3018501
DATE: 04/16/1991

TRADEMARK
REEL: 002260 FRAME: 0824

CERTIFICATE OF MERGER

OF

4-30-

O-I BROCKWAY GLASS, INC.

INTO

OWENS-ILLINOIS GLASS CONTAINER INC.

The undersigned corporations organized and existing under and by virtue of the General Corporation Law of the State of Delaware

DO HEREBY CERTIFY:

FIRST: That the name and state of incorporation of each of the constituent corporations of the merger are as follows:

<u>NAME</u>	<u>STATE OF INCORPORATION</u>
O-I Brockway Glass, Inc.	Delaware
Owens-Illinois Glass Container Inc.	Delaware

SECOND: That an Agreement 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 251 of the General Corporation Law of the State of Delaware.

THIRD: That the name of the surviving corporation of the merger is Owens-Illinois Glass Container Inc., which shall herewith be changed to OWENS-BROCKWAY GLASS CONTAINER INC.

FOURTH: That Owens-Brockway Packaging Inc., a Delaware corporation, is the owner of all of the stock of each of the constituent corporations.

FIFTH: That as an effect of the merger ARTICLE FIRST of the Certificate of Incorporation of Owens-Illinois Glass Container Inc. shall be deemed amended in its entirety to read as follows:

"FIRST. The name of this corporation shall be Owens-Brockway Glass Container Inc."

Otherwise, the Certificate of Incorporation of Owens-Illinois Glass Container Inc., a Delaware corporation which will survive the merger, shall be the Certificate of Incorporation of the surviving corporation.

SIXTH: That the executed Agreement of Merger is on file at the principal place of business of the surviving corporation. The address of the principal place of business of the surviving corporation is One SeaGate, Toledo, Ohio 43666.

SEVENTH: That a copy of the Agreement of Merger will be furnished by the surviving corporation on request and without cost to any stockholder of either constituent corporation.

EIGHTH: This Certificate of Merger shall be effective on April 30, 1990.

O-I BROCKWAY GLASS, INC.

By: David G. Van Hooser
David G. Van Hooser
Vice President and
Treasurer

Attest: Arthur H. Smith
Arthur H. Smith
Assistant Secretary

OWENS-ILLINOIS GLASS CONTAINER
INC.

By: David G. Van Hooser
David G. Van Hooser
Vice President and
Treasurer

Attest: Arthur H. Smith
Arthur H. Smith
Assistant Secretary