

04-25-2001



101685267

**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**

**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 Dayton Technologies, Inc.      Execution Date  
Month Day Year  
12-06-97

Formerly \_\_\_\_\_

Individual     General Partnership     Limited Partnership     Corporation     Association

Other \_\_\_\_\_

**Citizenship/State of Incorporation/Organization**      Ohio

**Receiving Party**

Mark if additional names of receiving parties attached

Name Dayton Technologies, L.L.C.

DBA/AKA/TA \_\_\_\_\_

Composed of \_\_\_\_\_

Address (line 1) 351 North Garver Road

Address (line 2) \_\_\_\_\_

Address (line 3) Dayton      Ohio      45050  
City      State/Country      Zip Code

Individual     General Partnership     Limited Partnership     Corporation     Association

Other \_\_\_\_\_

**Citizenship/State of Incorporation/Organization**      Delaware

**CERTIFICATE OF MAILING**

I hereby certify that this conveyance is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231, on April 4, 2001

Sandi Schlegel  
\_\_\_\_\_  
Signature of person mailing paper or tape      Date  
4/4/01

04/25/2001 6TON11 00000440 501287 75422761  
01 FC:481 40.00 CH

**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

**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" value="75/422,761"/>	<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.

Matthew R. Jenkins



April 4, 2001

Name of Person Signing

Signature

Date Signed

*State of Delaware*  
*Office of the Secretary of State* PAGE 1

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I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP OF "DAYTON TECHNOLOGIES, L.L.C.", FILED IN THIS OFFICE ON THE TWENTY-SIXTH DAY OF DECEMBER, A.D. 2000, AT 9 O'CLOCK A.M.



*Harriet Smith Windsor*  
*Harriet Smith Windsor, Secretary of State*

3327332 8100

AUTHENTICATION: 1037554

010120968

DATE: 03-22-01

TRADEMARK  
REEL: 002279 FRAME: 0681

**CERTIFICATE OF MERGER**

**MERGING**

**ACRO EXTRUSION CORPORATION,**  
a Delaware corporation  
and  
**DAYTON TECHNOLOGIES, INC.,**  
an Ohio corporation

**INTO**

**DAYTON TECHNOLOGIES, L.L.C.**  
a Delaware limited liability company

**(Pursuant to Section 18-209 of the Delaware Limited Liability Company Act)**

DAYTON TECHNOLOGIES, L.L.C., a limited liability company organized and existing under the laws of the State of Delaware (hereinafter referred to as "Dayton LLC" or "Surviving Entity").

**DOES HEREBY CERTIFY:**

**FIRST:** That Acro Extrusion Corporation, a corporation organized and existing under the laws of the State of Delaware ("Acro") and Dayton Technologies, Inc., a corporation organized and existing under the laws of the State of Ohio ("Dayton Inc."), shall merge with and into Dayton LLC, with Dayton LLC being the company surviving the merger and assuming all of the liabilities and obligations of Acro and Dayton Inc. (the "Merger"). Dayton LLC, Acro and Dayton Inc. are each wholly owned subsidiaries of DECEUNINCK NORTH AMERICA, INC., a corporation organized and existing under the laws of the State of Delaware.

**SECOND:** Each share of capital stock of Acro and Dayton Inc., which shall be outstanding immediately prior to the effective time of the merger (the "Effective Time"), and all rights in respect thereof, shall be canceled and retired and no membership interests of the Surviving Entity shall be issuable in respect thereof.

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 09:00 AM 12/26/2000  
001648486 - 3327332

**TRADEMARK**

**REEL: 002279 FRAME: 0682**

THIRD: The Certificate of Formation of Dayton LLC, as amended, shall be the Certificate of Formation of the Surviving Entity.

FORTH: The Limited Liability Company Agreement of Dayton LLC, as in effect immediately prior to the Effective Time, shall be the Limited Liability Company Agreement of the Surviving Entity.

FIFTH: The officers of each entity which is a party to the Merger shall be and hereby are authorized to do all acts and things necessary and proper to effect the Merger.

SIXTH: Pursuant to subsection (7) of Section 1701.791 of Ohio General Corporation Law (the "GCL"), Surviving Entity agrees that it may be served with process in the State of Ohio in any proceeding for enforcement of any obligation of Dayton Inc., including any suit or other proceeding to enforce the right of any dissenting shareholder of Dayton Inc. pursuant to Sections 1701.84 and 1701.85 of the GCL, and Surviving Entity shall irrevocably appoint the Secretary of State of the State of Ohio as its agent to accept service of process in any such suit or other proceedings.

SEVENTH: The Merger shall become effective immediately upon compliance with the laws of the State of Ohio and the laws of the State of Delaware.

EIGHTH: That the Agreement and Plan of Merger is on file at the principal place of business of the Surviving Entity which is 351 North Garver Road, Monroe, Ohio 45050.

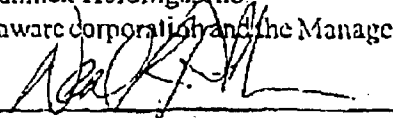
NINTH: That a copy of the Agreement and Plan of Merger will be furnished on request and without cost to any stockholder or member of any constituent entity.

TENTH: Anything herein to the contrary notwithstanding, this Merger may be amended or terminated and abandoned by any of Dayton LLC, Acro and Dayton Inc., as the case may be, at any time prior to the date each party files the Merger with each party's respective Secretary of State.

[Signature Page Follows]

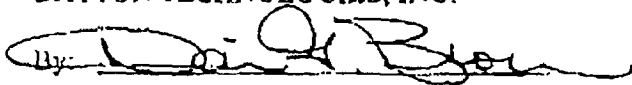
DAYTON TECHNOLOGIES, L.L.C.

By: Deceuninck Holdings, Inc.  
a Delaware corporation and the Manager

By: 

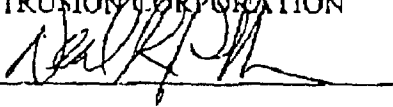
Its: Vice President  
Neal R. Pemberton

DAYTON TECHNOLOGIES, INC.

By: 

Its: President  
Darwin G. Brown

ACRO EXTRUSION CORPORATION

By: 

Its: Assistant Secretary  
Neal R. Pemberton

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