

4-26-01

05-04-2001

# RECORDATION FORM COVER SHEET TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



101701888

Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
 THERMADOR CORPORATION

Individual(s)                       Association  
 General Partnership               Limited Partnership  
 Corporation-State (California)  
 Other \_\_\_\_\_

Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party(ies)

Name: BSH HOME APPLIANCES CORPORATION

Internal Address: \_\_\_\_\_

Street Address: 5551 McFadden Avenue

City: Huntington Beach State: CA ZIP: 92649

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State Delaware  
 Other \_\_\_\_\_

3. Nature of conveyance:

Assignment                       Merger  
 Security Agreement               Change of Name  
 Other \_\_\_\_\_

Execution Date: December 30, 1999

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No

(Designations must be a separate document from assignment)  
 Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)  
See Attachment A

B. Trademark Registration No.(s)  
See Attachment A

05/03/2001 LMJELLER 00000048 614280

01 FC:481                      40.00 DP  
 02 FC:482                      500.00 DP

Additional numbers attached?  Yes  No

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

Name: Ronald M. Nabozny, Esq.

Internal Address: Brooks & Kushman P.C.

Street Address: 1000 Town Center  
22<sup>nd</sup> Floor

City: Southfield State: MI Zip: 48075

6. Total number of applications and registrations involved: 21

7. Total fee (37 CFR 3.41) \$ 540.00

Enclosed  
 Authorized to be charged to Deposit Account

8. Deposit Account number: \_\_\_\_\_

(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.*

Ronald M. Nabozny  
 Name of Person Signing

[Signature]  
 Signature

4/23/01  
 Date

Total number of pages including cover sheet, attachments, and document: 7

Mail documents to be recorded with required cover sheet information to:  
 Director of the United States Patent and Trademark Office, Box Assignments  
 Washington, D.C. 20231

**TRADEMARK**  
**REEL: 002286 FRAME: 0144**

# ATTACHMENT A

## TRADEMARK REGISTRATIONS AND APPLICATIONS OF THERMADOR CORPORATION

### UNITED STATES

#### Registrations

<u>Reg. No.</u>	<u>Issued</u>	<u>Mark</u>
614,280	10/18/55	THERMADOR
1,144,768	12/30/80	THERMADOR
1,185,641	01/12/82	COOK 'N' VENT
1,197,124	06/08/82	THERMADOR
1,216,554	11/16/82	TEMP-MATIC
1,224,126	01/18/83	CHAR-GLO
1,280,276	05/29/84	MICRO-CONVECTION
1,281,065	06/05/84	SUPER BURNER
1,308,859	12/11/84	EUROPA
1,310,981	12/25/84	THERMA SENSOR
1,484,165	04/12/88	THERMAFLAME
1,853,576	09/13/94	THERMADOR PROFESSIONAL
1,886,783	03/28/95	EXTRALOW
1,889,230	04/11/95	THERMADOR
2,114,454	11/18/97	TWIN-TURBO
2,132,441	01/27/98	XLO
2,355,996	06/06/00	SURE-LOCK
2,362,875	06/27/00	STAR
2,396,134	10/17/00	COOKSMART

#### Pending Applications

<u>Serial No.</u>	<u>Filed</u>	<u>Mark</u>
75/484085	04/30/98	JETDIRECT
75/828031	10/22/99	CREATE. (Stylized)

*State of Delaware*  
*Office of the Secretary of State*

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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 MERGER, WHICH MERGES:

"BSH DOMESTIC APPLIANCES, INC.", A MASSACHUSETTS CORPORATION,

"THERMADOR CORPORATION", A CALIFORNIA CORPORATION,

WITH AND INTO "BSH MANAGEMENT, INC." UNDER THE NAME OF "BSH HOME APPLIANCES CORPORATION", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTIETH DAY OF DECEMBER, A.D. 1999, AT 5 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE THIRTY-FIRST DAY OF DECEMBER, A.D. 1999.

2591569 8100M

010166123

AUTHENTICATION: 1064222

DATE: 04-04-01

**TRADEMARK**  
**REEL: 002286 FRAME: 0146**

**CERTIFICATE OF MERGER  
OF  
BSH DOMESTIC APPLIANCES, INC.  
AND  
THERMADOR CORPORATION  
WITH AND INTO  
BSH MANAGEMENT, INC.**

The undersigned corporation DOES HEREBY CERTIFY:

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

<u>Name</u>	<u>State of Incorporation</u>
BSH Management, Inc.	Delaware
BSH Domestic Appliances, Inc. (a wholly-owned subsidiary of BSH Management, Inc.)	Massachusetts
Thermador Corporation (a wholly-owned subsidiary of BSH Domestic Appliances, Inc.)	California

SECOND: That an Agreement and Plan of Reorganization among 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 252 of the General Corporation Law of Delaware.

THIRD: That the amendments or changes in the Amended and Restated Certificate of Incorporation (the "Certificate of Incorporation") of BSH Management, Inc., a Delaware corporation, which is the surviving corporation, that are to be effected by the merger are as follows:

Article FIRST of the Certificate of Incorporation of BSH Management, Inc., is amended to read in its entirety as follows:

"FIRST: The name of the corporation is BSH Home Appliances Corporation."

which amendment shall be effective contemporaneously with the merger.

FOURTH: That the Certificate of Incorporation of BSH Management, Inc., a Delaware corporation which is surviving the merger and shall upon the merger be known as BSH Home Appliances Corporation, shall be the Certificate of Incorporation of the surviving corporation.

FIFTH: That the executed Agreement and Plan of Reorganization is on file at the principal place of business of the surviving corporation, the address of which is:

2800 South 25<sup>th</sup> Avenue  
Broadview, Illinois 60153

SIXTH: That a copy of the Agreement and Plan of Reorganization will be furnished by the surviving corporation, on request and without cost, to any stockholder of any constituent corporation.

SEVENTH: That the authorized capital stock of each foreign corporation which is a party to the merger is as follows:

<u>Corporation</u>	<u>Class</u>	<u>Number of Shares</u>	<u>Par Value Per Share</u>
BSH Domestic Appliances, Inc.	Class A Common	1,500,000	\$ 1.00
	Class B Common	55,000	\$ 1,000.00
Thermador Corporation	Common	1,000	\$ 1.00

EIGHTH: That this Certificate of Merger shall be effective at 11.59 p.m., E.S.T., on December 31, 1999.

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Dated: December 30, 1999

BSH MANAGEMENT, INC.

By

  

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Its Secretary, MIKE BAER