

TRADEMARKS ONLY



TRADEMARKS ONLY

emarks
thereof.

101750130

6-4-01

1. Name of Party(ies) conveying an interest:

Covol Technologies, Inc.

Entity:

6-4-01

- Individual(s) Association
- General Partnership Limited Partnership
- Corporation-State **Delaware**
- Other

3. Interest Conveyed:

- Assignment Change of Name
- Security Agreement Merger
- Other

Execution Date: **September 6, 2000**

2. Name and Address of Party(ies) receiving an interest:

Name: **Headwaters, Inc.**

Address: **11778 South Election Road
Draper, Utah 84020**

Entity:

- Individual(s) Association
- Corporation-State General Partnership Limited Partnership
- Other:

Citizenship: **Delaware**

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

- Yes
- No

(The attached document must **not** be an assignment)

4. Application number(s) or registration number(s). Additional sheet attached? Yes No

A. Trademark Application No.(s)
78/018,501

B. Trademark Registration No.(s) None

5. Please mail documents back to:

Calendar/Docketing Dept.
Pillsbury Winthrop LLP
Post Office Box 7880
San Francisco, CA 94120-7880

6. Number of applications and registrations involved: **One (1)**

7. Amount of fee enclosed: **\$ 40**

RECEIVED
JUN 15 2001
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, DC 20535

8. If above amount is missing or inadequate, charge deficiency to our Deposit Account No. 03-3975 under Order No. **015864/026/5901/JEG/IMB**

06/14/2001 6TON11 00000082 78018501

DO NOT USE THIS SPACE

01 FE:483 40.00 JP

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.

Signature

Total number of pages including cover sheet, attachments, document and check (excluding duplicate cover sheet)

5

Attorney: **Jason E. Garcia**

Date: **June 1, 2001**

Atty. Sec:

Tel: (415) 983-1287

Fax: (415) 983-1200

CERTIFICATE OF AMENDMENT
OF
CERTIFICATE OF INCORPORATION
OF
COVOL TECHNOLOGIES, INC.

Covol Technologies, Inc. (the "Company"), a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware, DOES HEREBY CERTIFY:

1. On June 5, 2000 the Board of Directors of the Company approved (i) an amendment to the Company's Certificate of Incorporation to change the Company's name to "Headwaters Incorporated", and (ii) to submit such amendment to the stockholders for their approval.
2. On September 6, 2000 the Company held a special meeting of its stockholders where stockholders approved the proposal to amend the Company's Certificate of Incorporation to change the Company's name (the "Stockholder Approval").
3. Effective as of the date hereof, and after giving effect to the Board of Director's approval and the Stockholders' Approval, Article I of the Certificate of Incorporation shall be amended to provide as follows:

ARTICLE I

The name of the corporation is HEADWATERS INCORPORATED (hereinafter called the "Corporation").

4. The remainder of the Certificate of Incorporation is unaffected by this Amendment.
5. The foregoing amendment to the Certificate of Incorporation has been duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, the said Covol Technologies, Inc. has caused this Certificate to be executed by its duly authorized Chief Executive Officer this 6th day of September, 2000.

COVOL TECHNOLOGIES, INC.

By: Kirk A. Benson
Name: Kirk A. Benson
Title: Chief Executive Officer

State of Delaware
Office of the Secretary of State

PAGE 1

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 AMENDMENT OF "COVOL TECHNOLOGIES, INC.", CHANGING ITS NAME FROM "COVOL TECHNOLOGIES, INC." TO "HEADWATERS INCORPORATED", FILED IN THIS OFFICE ON THE TWELFTH DAY OF SEPTEMBER, A.D. 2000, AT 9 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



A handwritten signature in cursive script that reads "Edward J. Freel".

Edward J. Freel, Secretary of State

2531663 8100

001460620

AUTHENTICATION: 0671306

DATE: 09-13-00

TRADEMARK

REEL: 002314 FRAME: 0028

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COVOL TECHNOLOGIES, INC.

By: Kirk A. Benson
Name: Kirk A. Benson
Title: Chief Executive Officer

Office of the Secretary of State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE SAID "COVOL TECHNOLOGIES, INC.", FILED A CERTIFICATE OF AMENDMENT, CHANGING ITS NAME TO "HEADWATERS INCORPORATED", THE TWELFTH DAY OF SEPTEMBER, A.D. 2000, AT 9 O'CLOCK A.M.



Harriet Smith Windsor
Secretary of State

2531663 8320

AUTHENTICATION: 0917115

010024432

DATE: 01-16-01

RECORDED: 06/04/2001

TRADEMARK
REEL: 002314 FRAME: 0030