

12-31-2001

12.27.01



Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) Tab settings

REC T

101927995

U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

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

1. Name of conveying party(ies): National SoyDiesel Development Board
Individual(s) Association General Partnership Limited Partnership Corporation-State Other
Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies) Name: National Biodiesel Board Internal Address: Street Address: 3337A Emerald Lane City: Jefferson State: MO Zip: 65110
Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Iowa Other
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

3. Nature of conveyance: Assignment Merger Security Agreement Change of Name Other Restated Articles of Incorporation
Execution Date: Oct. 7, 1994

4. Application number(s) or registration number(s): A. Trademark Application No.(s)

B. Trademark Registration No.(s) 2,007,328

Additional number(s) attached Yes No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: G. Brian Pingel Internal Address: Street Address: 3737 Woodland Avenue 437 Colony Park Building West Des Moines City: IA Zip: 50266

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00 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.

G. Brian Pingel Name of Person Signing

Signature

November 27, 2001 Date

Total number of pages including cover sheet, attachments, and document: 5

Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

12/31/2001 LMUeller 00000035 2007328

40.00 OP

01 FC:481

TRADEMARK REEL: 002414 FRAME: 0792

162069  
RESTATED ARTICLES OF INCORPORATION  
OF  
NATIONAL BIODIESEL BOARD

RECEIVED

OCT 24 1994

SECRETARY OF STATE

TO THE SECRETARY OF STATE OF THE STATE OF IOWA:

Pursuant to the provisions of the Iowa Nonprofit Corporation Act under Chapter 504A, Code of Iowa, 1993, the undersigned corporation adopts the following Restated Articles of Incorporation:

- I. Name. The name of the corporation, formerly the National SoyDiesel Development Board, shall be the "National Biodiesel Board."
- II. Duration. The period of its duration is perpetual.
- III. Purpose. The corporation is organized exclusively to advance the common business interests of those parties seeking to advance the use of fuels and other commercially viable products derived from soybeans.
- IV. Initial Registered Office. The address of its initial registered office in the state of Iowa is 321 E. Walnut, Suite 200 in the city of Des Moines, county of Polk and the name of its initial registered agent at such address is Mark E. Truesdell.
- V. Initial Directors. The number of Directors constituting the initial Board of Directors of the corporation is three (3), and the names and addresses of the persons who are to serve as the initial Directors are:

| <u>NAME</u>    | <u>ADDRESS</u>                              |
|----------------|---|
| David Stone    | R.R. 3, Box 208<br>Leon, Iowa 50144         |
| Jim Gay        | R.R. 2, Box 156<br>Rockport, Illinois 62370 |
| Gary Ellington | Route 1, Box 277<br>Gower, Missouri 64454   |

- VI. Corporate Existence. The date on which the corporate existence shall begin is November 1, 1992.

19939410011.00 1253346881 605 \$20.00

VII. Incorporators. The name and address of each incorporator is:

| <u>NAME</u>    | <u>ADDRESS</u>                              |
|----------------|---|
| David Stone    | R.R. 3, Box 208<br>Leon, Iowa 50144         |
| Jim Gay        | R.R. 2, Box 156<br>Rockport, Illinois 62370 |
| Gary Ellington | Route 1, Box 277<br>Gower, Missouri 64454   |

VIII. Inurement of Income. This organization is not organized for business purposes nor for pecuniary profit. No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered.

IX. Legislative or Political Activity. No substantial part of the activities of the corporation shall be the carrying on of propoganda or otherwise attempting to influence legislation; and the corporation shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

X. Operational Limitations. Notwithstanding any other provisions of these Articles, the corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(6) of the Internal Revenue Code of 1986 (or the corresponding provisions of any future United States Internal Revenue Law).

XI. Dissolution Clause. Upon the dissolution of the corporation, the Board of Directors will, after paying or making provisions for the payment of all of the liabilities of the corporation, dispose of all of the assets of the corporation to one or more domestic or foreign corporations, societies or organizations engaged in activities substantially similar to those of this corporation, pursuant to a plan of distribution adopted by the Board of Directors.

The foregoing Restated Articles of Incorporation correctly set forth the provisions of the Articles of Incorporation as hereby amended; have been duly adopted as required by law; and supersede the original Articles of Incorporation and all amendments thereto.

Dated this 7 day of OCTOBER, 1994.

NATIONAL BIODIESEL BOARD

By *Harry Ellington*  
President  
By *John B. Fischer*  
Secretary

STATE OF MISSOURI, COUNTY OF ST. LOUIS, SS:

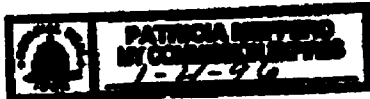
On this 7<sup>th</sup> day of October, 1994, A.D. 1994, before the undersigned, a Notary Public in and for said County in said State, personally appeared *Harry Ellington*, President, to me known to be the person named in and who executed the foregoing Restated Articles of Incorporation, and acknowledged that he executed the same as his voluntary act and deed.

*Betty Nord*  
NOTARY PUBLIC IN AND FOR THE  
STATE OF MISSOURI

STATE OF MISSOURI, COUNTY OF ST. LOUIS, SS:

On this 18 day of October, 1994, A.D. 1994, before the undersigned, a Notary Public in and for said County in said State, personally appeared John Fischer, Secretary, to me known to be the person named in and who executed the foregoing Restated Articles of Incorporation, and acknowledged that he executed the same as his voluntary act and deed.

*Patricia M. Miffed*  
NOTARY PUBLIC IN AND FOR THE  
STATE OF MISSOURI



94 NBBARTI5.9M0

STATE OF IOWA  
SECRETARY OF STATE  
FILED 10/24/1994 AT 04:06 PM  
FILING # 000162069M00055763  
\*WD: 94436446 -WS: 94436448

TRADEMARK  
REEL: 002414 FRAME: 0795

# IOWA

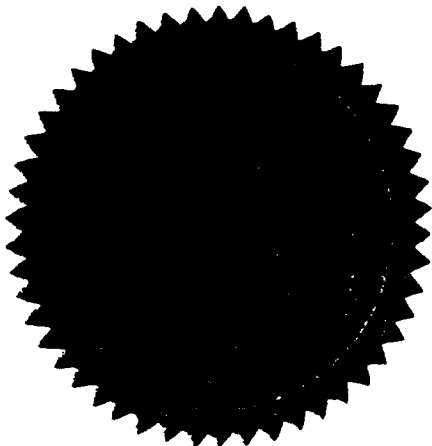
No. W00055763  
Date: 10/28/1994

## SECRETARY OF STATE

504ADN-000162069  
NATIONAL BIODIESEL BOARD  
MARK TRUESDALL  
C/O BEVING SWANSON  
321 E WALNUT STE 200  
DES MOINES, IA 50309

### RESTATED CERTIFICATE OF INCORPORATION

NATIONAL BIODIESEL BOARD, a corporation formed under Iowa code chapter 504A, has filed restated articles of incorporation on October 24, 1994, at 04:06 PM.



*Elaine Baxter*

SECRETARY OF STATE

