

03-04-2002



Form PTO-1594

(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

101999984

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

Tab settings

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

1. Name of conveying party(ies):

National Gypsum Company

2.8.02

- ☐ Individual(s) ☐ Association
- ☐ General Partnership ☐ Limited Partnership
- ☒ Corporation-State
- ☐ Other _____

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

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
- ☐ Security Agreement ☒ Change of Name
- ☐ Other _____

Execution Date: November 28, 2001

2. Name and address of receiving party(ies)

Name: New NGC, Inc.

Internal

Address: _____

Street Address: 2001 Rexford RoadCity: Charlotte State: North Carolina Zip: 28211

- ☐ Individual(s) citizenship _____
- ☐ Association _____
- ☐ General Partnership _____
- ☐ Limited Partnership _____
- ☒ Corporation-State Delaware
- ☐ 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

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

A. Trademark Application No.(s)

75/683,238

B. Trade Mark Registration No.(s)

2,420,018 2,490,837 2,468,194Additional number(s) attached ☐ Yes ☒ No

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

Name: Michelle S. Raynes*Internal Address: Howrey Simon Arnold & White, LLPStreet Address: 1299 Pennsylvania Avenue, N.W., Box 34City: Washington State: D.C. Zip: 20004-2402

6. Total number of applications and registration involved: _____

4

7. Total fee (37 CFR 3.41)\$ 115.00

- ☒ Enclosed
- ☐ Authorized to be charged to deposit account

8. Deposit account number:

N/A

(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.

Michelle S. Raynes (*not admitted in D.C.)
Name of Person Signing

Michelle S. Raynes
Signature

2-8-02
Date

Total number of pages including cover sheet, attachments, and document: 3

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

TRADEMARK
REEL: 002451 FRAME: 0711

03/01/2002 LMEILLER 00000115 75643234
44:00 IP
44:00
44:00

01 FC:461
02 FC:462

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 AMENDMENT OF "NATIONAL GYPSUM COMPANY", CHANGING ITS NAME FROM "NATIONAL GYPSUM COMPANY" TO "NEW NGC, INC.", FILED IN THIS OFFICE ON THE TWENTY-EIGHTH DAY OF NOVEMBER, A.D. 2001, AT 12:46 O'CLOCK P.M.

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



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

2329311 8100

AUTHENTICATION: 1468124

010602418

DATE: 11-28-01

TRADEMARK
REEL: 002451 FRAME: 0712

STATE of DELAWARE
CERTIFICATE of AMENDMENT of
RESTATED CERTIFICATE of INCORPORATION

First: That at a meeting of the Board of Directors of NATIONAL GYPSUM COMPANY resolutions were duly adopted setting forth a proposed amendment of the Restated Certificate of Incorporation of said corporation, declaring said amendment to be advisable and calling a meeting of the stockholders of said corporation for consideration thereof.

The resolution setting forth the proposed amendment is as follows:

Resolved, that the Restated Certificate of Incorporation of this corporation be amended by changing the Article thereof numbered "First" so that, as amended, said Article shall be and read as follows:

"The name of the Corporation is New NGC, Inc."

Second: That thereafter, pursuant to resolution of its Board of Directors, a special meeting of the stockholders of said corporation was duly called and held, upon notice in accordance with Section 222 of the General Corporation Law of the State of Delaware at which meeting the necessary number of shares as required by statute were voted in favor of the amendment.

Third: That said amendment was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

Fourth: That the capital of said corporation shall not be reduced under or by reason of said amendment.

NATIONAL GYPSUM COMPANY

By

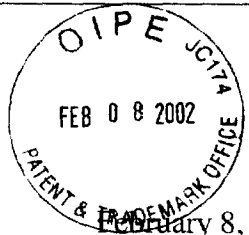

Authorized Officer

Name: Samuel A. Schiffman
(type or print) VP

C-739319v01_

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 12:46 PM 11/28/2001
010602418 - 2329311

TRADEMARK
REEL: 002451 FRAME: 0713



1299 PENNSYLVANIA AVE., NW
WASHINGTON, DC 20004-2402
PHONE 202.783.0800
FAX 202.383.6610
A LIMITED LIABILITY PARTNERSHIP

* NOT ADMITTED IN D.C.



02-08-2002
U.S. Patent & TMOfo/TM Mail Rcpt Dt. #67

VIA HAND DELIVERY

Commissioner for Trademarks
United States Patent and Trademark Office
2900 Crystal Drive
Arlington, Virginia 22202-3513

Attn.: BOX: ASSIGNMENT/FEE

Re: Change of Name Recordation for National Gypsum Company
Our Ref.: 05111.0052.TMUS00

Dear Madam:

Enclosed please find the following documents for appropriate action by the Assignment Services Division of the U.S. Patent and Trademark Office:

1. Recordation Form Cover Sheet;
2. Certificate of Amendment of Restated Certificate of Incorporation; and
3. Check No. 007039 in the amount of \$115.00.

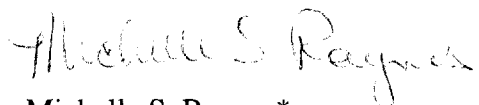
It is respectfully requested that the attached postcard be stamped with the date of filing of the above documents, and that it be returned to our courier. Any fee deficiency or overpayment should be charged or credited to Deposit Account No. 08-3038 referencing docket number 05111.0052.TMUS00.

TRADEMARK
REEL: 002451 FRAME: 0714

Commissioner for Trademarks
February 8, 2002
Page 2

A duplicate copy of this letter is enclosed.

Respectfully submitted,



Michelle S. Raynes*

Enclosures

cc: Samuel A. Schiffman, Esq.
Anthony Nimmo, Esq.
Deborah R. Coleman, Senior IP Paralegal

COPY

* NOT ADMITTED IN D.C.

February 8, 2002

VIA HAND DELIVERY

Commissioner for Trademarks
United States Patent and Trademark Office
2900 Crystal Drive
Arlington, Virginia 22202-3513

02-08-2002
U.S. Patent & TMO/TM Mail Rcpt Dt. #67

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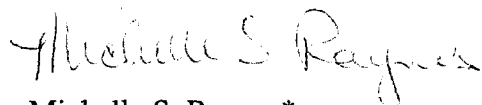
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