

09-11-2002

FORM PTO-1594  
1-31-92  
OMB No. 0651-0011 (exp. 4/94)



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U.S. DEPARTMENT OF  
COMMERCE  
Patent and Trademark Office

102217482

To the Honorable Commissioner of F... the attached original documents or copy thereof.

1. Name of conveying party(ies):  
MADD - D.C. 8-19-02  
 Individual(s)                       Association  
 General Partnership               Limited Partnership  
 Corporation-State - DC  
 Other  
Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party(ies):  
Name: Mothers Against Drunk Driving  
Internal Address:  
Street Address: 511 E. John Carpenter Freeway, Suite 700  
City: Irving State: Texas ZIP: 75062-8187  
 Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State D.C.  
 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: Correction of Assignment recorded on August 10, 1988, on Reel 0615, Frame 0651, recording change of name of MADD-D.C., a D.C. nonprofit corporation, to Mothers Against Drunk Driving, a D.C. nonprofit corporation  
Execution Date: December 19, 1985

4. Application number(s) or registration number(s): 1  
A. Trademark Application No.(s)  
B. Trademark Registration No.(s) 1,250,706  
Additional numbers attached?  Yes  No

B. Trademark Registration No.(s) 1,250,706

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Heather Brunelli  
Internal Address: Thompson & Knight L.L.P.  
  
  
Street Address: 1700 Pacific Avenue, Suite 3300  
  
City: Dallas State: TX ZIP: 75201

6. Total number of applications and registrations involved: 1  
7. Total fee (37 CFR 3.41) ..... \$0.00  
 Enclosed  
 Authorized to be charged to deposit account  
8. Deposit account number: 20-0821  
  
(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.*  
Heather C. Brunelli                      Heather C. Brunelli                      August 16, 2002  
Name of Person Signing                      Signature                      Date

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

ARTICLES OF MERGER  
OF DOMESTIC AND FOREIGN CORPORATIONS  
INTO  
MADD-D.C.

To: The Recorder of Deeds, D.C.  
Washington, D.C.

Pursuant to the provisions of the District of Columbia Non-profit Corporation Act, the undersigned domestic and foreign corporations adopt the following Articles of Merger for the purpose of merging them into one of such corporations:

FIRST: The names of the undersigned corporations and the jurisdictions, including the District of Columbia, under the laws of which they are respectively organized are:

NAME OF CORPORATIONS	JURISDICTION
MADD-D.C.	D.C.
Mothers Against Drunk Driving	California

SECOND: The laws of the jurisdiction under which such foreign corporation is organized permit such merger

THIRD: The surviving corporation is MADD-D.C., a District of Columbia not for profit corporation to be governed by the laws of the District of Columbia.

FOURTH: The following Plan of Merger was approved by each of the undersigned corporations:

AGREEMENT AND PLAN OF MERGER

THIS AGREEMENT AND PLAN OF MERGER, dated as of December 16, 1985, is by and among Mothers Against Drunk Driving, a California nonprofit public benefit corporation ("MADD-CA"), and MADD-D.C., a not for profit corporation organized under the laws of the District of Columbia ("MADD-D.C.").

W I T N E S S E T H:

WHEREAS, MADD-CA is a nonprofit public benefit corporation, duly organized and now existing under the laws of the State of California pursuant to Articles of Incorporation filed in the office of the Secretary of State of California on September 5, 1980:

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REEL: 002578 FRAME: 0641

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REEL 0615 FRAME 54

WHEREAS, MADD-CA is organized and operated exclusively for charitable purposes within the meaning of §501(c)(3) of the Internal Revenue Code;

WHEREAS, MADD-D.C. is a not for profit corporation duly organized and validly existing under the laws of the District of Columbia, pursuant to Articles of Incorporation filed in the Mayor's office on October 9, 1985;

WHEREAS, MADD-D.C. is organized and operated exclusively for charitable purposes within the meaning of §501(c)(3) of the Internal Revenue Code;

WHEREAS, the Boards of Directors of MADD-CA and MADD-D.C. deem it advisable that MADD-CA and MADD-D.C. (sometimes collectively referred to as the "Constituent Corporations") be merged into a single corporation, with MADD-D.C. being the surviving corporation (MADD-D.C. in its capacity as a surviving corporation is sometimes referred to as the "Surviving Corporation"), upon the terms and conditions set forth in this Agreement and pursuant to Section 29-546 of the District of Columbia Nonprofit Corporation Act (the "Merger"), and they have approved this Agreement.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements herein contained, and for the purpose of describing the terms and conditions of the Merger, the motive for carrying the same into effect, the manner and basis of converting the assets of MADD-CA into assets of MADD-D.C. and such other details and provisions as the parties have deemed necessary or desirable, the parties hereto agree that MADD-CA and MADD-D.C. shall be, at the Effective Time of the Merger (defined below), merged into a single District of Columbia corporation, MADD-D.C., which shall be the Surviving Corporation, and the parties hereto adopt and agree to the following terms and conditions relating to the Merger and the motive for carrying the Merger into effect.

#### ARTICLE ONE

1.01. In accordance with the provisions of the District of Columbia Nonprofit Corporation Act, MADD-CA and MADD-D.C. shall be merged into a single corporation, MADD-D.C., which shall be the Surviving Corporation, and MADD-D.C., as the Surviving Corporation, shall continue to exist under and be governed by the laws of the District of Columbia.

1.02 Except as herein specifically set forth, the corporate existence and identity of MADD-D.C., as the Surviving

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Corporation, with all its purposes, powers, objects, franchises, privileges, rights and immunities, shall continue unaffected and unimpaired by the Merger, and the corporate existence and identity of MADD-CA, with all its purposes, powers, objects, franchises, rights and immunities, at the Effective Time of Merger shall be merged with and into those of MADD-D.C. as the Surviving Corporation, and the Surviving Corporation shall be fully vested therewith, and the separate corporate existence and identity of MADD-CA shall thereafter cease, except to the extent continued by statute.

## ARTICLE TWO

2.01 The Merger shall become effective until, and shall be effective when, the last of the following actions shall have been completed:

(a) This Agreement shall be submitted to the Board of Directors of each of the Constituent Corporations for adoption and adopted by the vote or written consent of the directors of each Constituent Corporation:

(b) Articles of Merger shall have been filed with the Attorney General of the State of California in accordance with section 6010(b) of the California Nonprofit Corporation Law;

(c) Articles of Merger shall have been filed with the Mayor of the District of Columbia pursuant to section 29-543 of the District of Columbia Nonprofit Corporation Act;

(d) The Mayor of the District of Columbia shall have issued a Certificate of Merger pursuant to such Articles. The time when the Merger shall become effective is called the "Effective Time of the Merger". The events described above shall be conclusive evidence for all purposes of this Agreement of compliance with all conditions precedent.

2.02 All expenses incident to the Merger shall be paid by the Surviving Corporation.

## ARTICLE THREE

3.01 The Articles of Incorporation of MADD-D.C. in effect at the Effective Time of the Merger shall constitute the Articles of Incorporation of the Surviving Corporation until further amended, altered or repealed in the matter provided by law.

3.02 The Articles of Incorporation of the Surviving Corporation are hereby amended, effective at the Effective Time of the Merger, by amending Articles I and IV to read as follows:

"ARTICLE I

The name of the Corporation shall be 'MOTHERS AGAINST DRUNK DRIVING'."

and

"ARTICLE IV

The corporation shall have no members as such term is defined in the District of Columbia Nonprofit Corporation Act. The corporation shall however have associate members who shall have no right to vote on corporate matters nor have any of the statutory rights of members pursuant to the District of Columbia Nonprofit Corporation Act. Associate members shall have such other privileges as stated in the Bylaws of the corporation and as may be determined by resolution of the Board of Directors of the corporation."

3.03 The Bylaws of MADD-D.C. in effect at the Effective Time of the Merger shall be the Bylaws of the Surviving Corporation until changed as therein or provided by law. The directors of MADD-D.C. in office at the Effective Time of the Merger shall be the directors of the Surviving Corporation until their successors are elected in accordance with the Bylaws of the Surviving Corporation.

3.04 The officers of MADD-D.C. in office at the Effective Time of Merger shall be the officers of the Surviving Corporation until their successors are elected or appointed in accordance with the Bylaws of the Surviving Corporation.

3.05 All corporate acts, plans, policies, applications, agreements, orders, registrations, licenses, approvals and authorizations of the Constituent Corporations, their respective Boards of Directors, committees elected or appointed by the Boards of Directors, officers and agents that were valid and effective immediately before the Effective Time of the Merger, shall be taken for all purposes on and after the Effective Time of the Merger as the acts, plans, policies, applications, agreements, orders, registrations, licenses, approvals and authorizations of the Surviving Corporation and shall be effective and binding thereon with the same force and effect as with respect to the Constituent Corporations immediately before the Effective Time of Merger.

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ARTICLE FOUR

4.01 At the Effective Time of the Merger, the Surviving Corporation shall possess all of the rights, privileges, powers, franchises and licenses of a public as well as of a private nature and shall be subject to all the restrictions, disabilities and duties of each of the Constituent Corporations so merged, and all and singular, of the rights, privileges, powers, franchises and licenses of each of the Constituent Corporations, and all property, real, personal and mixed, and all debts of either of the Constituent Corporations in whatever account, and all of the things or actions belonging to either of the Constituent Corporations shall be vested in the Surviving Corporation.

4.02 All property, rights, privileges, powers, franchises and licenses and all and every other interest, shall be thereafter as effectually the property of the Surviving Corporation as they were of the separate Constituent Corporations, and the title to any real or personal property, whether by deed or otherwise, vested in either of the Constituent Corporations, shall not revert or be in any way impaired by reason hereof; provided, that all rights of creditors and all liens upon any property of the Constituent Corporations shall be preserved unimpaired, limited in lien to the property effected by such liens immediately before the Effective Time of the Merger, and all debts, liabilities and duties of the respective Constituent Corporations shall thenceforth attach to the Surviving Corporation and may be enforced against it to the same extent as if the debts, liabilities and duties had been incurred or contracted by the Surviving Corporation.

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REEL 0615 FRAME 658

ARTICLE FIVE

5.01 If at any time the Surviving Corporation shall deem or be advised that additional grants, assignments, confirmation or assurances are necessary or desirable to perfect or confirm of record or otherwise in the Surviving Corporation the title to any property of either Constituent Corporation, the officers, or any of them, or the directors of such Constituent Corporation, may execute and deliver any and all such grants, assignments, confirmation and assurances, and do all things necessary or proper so as best to prove, confirm and ratify that title to such property is held by the Surviving Corporation, or to otherwise carry out the purposes of the Merger and the terms of this Agreement. The Surviving Corporation shall have the same power and authority to act in respect to any debt, liabilities and duties of the Constituent

Corporations as the Constituent Corporations would have had, had they continued to exist.

5.02 The Surviving Corporation reserves the right to amend, alter, change or appeal any provision contained in this Agreement that may be contained in the Articles of Incorporation of a not for profit corporation organized under the laws of the District of Columbia in a manner now or hereafter prescribed by said laws of the District of Columbia and all rights conferred upon the voting members herein are granted subject to this reservation.

ARTICLE SIX

6.01 This Agreement may be executed simultaneously in any number of counterparts, each of which shall be deemed to be in the original, that all of which together will constitute one and the same instrument.

6.02 This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements and understandings, oral and written, between the parties with respect to its subject matter.

IN WITNESS WHEREOF, each of the Constituent Corporations has caused this Agreement to be executed by and on its behalf and in its corporate name as of the date first above written.

MOTHERS AGAINST DRUNK DRIVING  
(CALIFORNIA)

By: John P. Wheeler  
John P. Wheeler, Chief Executive  
Officer

MADD-D.C.  
(DISTRICT OF COLUMBIA)

By: John P. Wheeler  
John P. Wheeler, Chief Executive  
Officer

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ALL U.S. PATENT OFFICES

ACKNOWLEDGEMENT

STATE OF Washington, D.C.  
COUNTY OF \_\_\_\_\_

Before me, the undersigned authority personally appeared John P. Wheeler, known to me to be the person who signed the foregoing document and having been first duly sworn, declared and acknowledged to me that he is the Chief Executive Officer of Mothers Against Drunk Driving, a California nonprofit public benefit corporation, and that he/she executed the foregoing document for the purposes and consideration and in the capacity therein expressed and that the statements therein are true and correct.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 13<sup>th</sup> day of December, 1985.

Harley H. Gray  
Notary Public

(S E A L)

My Commission Expires:  
March 31, 1987

STATE OF Washington, D.C.  
COUNTY OF \_\_\_\_\_

Before me, the undersigned authority personally appeared John P. Wheeler, known to me to be the person who signed the foregoing document and having been first duly sworn, declared and acknowledged to me that he is the Chief Executive Officer of MADD-D.C., a District of Columbia not for profit corporation, and that he executed the foregoing document for the purposes and consideration and in the capacity therein expressed and that the statements therein are true and correct.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 13<sup>th</sup> day of December, 1985.

Harley H. Gray  
Notary Public

(S E A L)

My Commission Expires:  
March 31, 1987

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FIFTH: (1) "The Plan of Merger was adopted by MADD-D.C. at a meeting of the Board of Directors held on October, 11, 1985 and received the vote a majority of the Directors in office, there being no other members having voting rights in respect thereof."

(2) "The Plan of Merger was approved by the undersigned foreign corporation in the manner prescribed by the laws of the State under which it is organized."

REEL 0615 FRAME 61  
TRADE-MARK

DATE: December 17, 1985

MOTHERS AGAINST DRUNK DRIVING

(CORPORATE SEAL)

By: John P. Wheeler  
John P. Wheeler, Chief  
Executive Officer

Attest:

Catherine J. Stayan  
Its Secretary or Assistant  
Secretary

MADD-D.C.

(CORPORATE SEAL)

By: John P. Wheeler  
John P. Wheeler, Chief  
Executive Officer

Attest:

Catherine J. Stayan  
Its Secretary or Assistant  
Secretary

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REEL 0615 FRAME 002

6846F



STATE OF CALIFORNIA  
 FRANCHISE TAX BOARD  
 SACRAMENTO, CALIFORNIA 95857  
 TELEPHONE (916) 369-4124

OCT 01 1986  
**TAX CLEARANCE  
 CERTIFICATE**

September 30, 1986

EXPIRATION DATE: January 15, 1987

**Mothers Against Drunk Driving  
 669 Airport Freeway, Ste. 310  
 Hurst, TX 76053**

**ISSUED TO: Mothers Against Drunk Driving  
 Corporate Number 1002101**

This is to certify that all taxes imposed under the Bank and Corporation Tax Law on this corporation have been paid or are secured by bond deposit or other security.

A copy of this Tax Clearance Certificate has been sent to the Office of the Secretary of State. This original Tax Clearance Certificate may be retained in the files of the corporation.

By the Expiration Date noted above, this corporation must have filed the documents required by the Secretary of State to dissolve, withdraw or merge. Requests for the appropriate documents must be directed to: Office of the Secretary of State at 1230 J Street, Sacramento, CA 95814. The telephone number is (916) 445-0620.

**NOTE:** If the required documents are not filed with the Secretary of State prior to the Expiration Date noted above, the corporation will remain subject to the filing requirements of the Bank and Corporation Tax Law.

FRANCHISE TAX BOARD

J. Snyder  
 Tax Clearance Unit  
 Central Audit Section  
 Telephone (916) 369-4181

RAC:rc

Enc.

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REEL 0615 FRAME 663



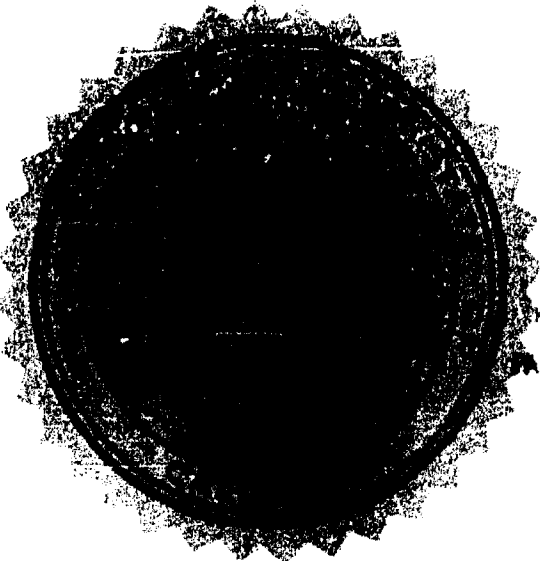
State  
of  
California  
OFFICE OF THE SECRETARY OF STATE

I, *MARCH FONG EU*, Secretary of State of the State of California, hereby certify:

That the annexed transcript was prepared by and in this office from the record on file, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute  
this certificate and affix the Great  
Seal of the State of California this

OCT 22 1988



*March Fong Eu*

Secretary of State

RECORDED  
PATENT & TRADEMARK OFFICE

AUG 10 88

*[Signature]*

COMMERCIAL RECORDS

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REEL 0615 FRAME 661

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REEL: 002578 FRAME: 0651



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Business Regulation Administration  
Corporations Division  
614 H Street, N.W.  
Washington, D.C. 20001-2782



C E R T I F I C A T E

THIS IS TO CERTIFY THAT ALL PROVISIONS OF THE DISTRICT OF COLUMBIA NON-PROFIT CORPORATION ACT  
HAVE BEEN COMPLIED WITH AND ACCORDINGLY THIS CERTIFICATE OF Merger

IS HEREBY ISSUED TO THE Mothers Against Drunk Driving (California)

Merging Into: Madd-D.C. (District of Columbia)

Changing name to: Mothers Against Drunk Driving

AS OF THE DATE HEREINAFTER MENTIONED.

DATE December 19, 1985

CAROL B. THOMPSON  
Director

Corrected Certificate

  
Miriam Hellen Jones  
Superintendent of Corporations

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
MARION BARRY, JR., MAYOR  
REV. JANUARY 1985

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REEL 0615 FRAME 652

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Business Regulation Administration  
Corporations Division  
614 H Street, N.W.  
Washington, D.C. 20001-2782



CERTIFICATE

THIS IS TO CERTIFY THAT ALL PROVISIONS OF THE DISTRICT OF COLUMBIA NON-PROFIT CORPORATION ACT  
HAVE BEEN COMPLIED WITH AND ACCORDINGLY THIS CERTIFICATE OF MERGER

IS HEREBY ISSUED TO THE MOTHERS AGAINST DRUNK DRIVING (MERGING INTO)  
MAUD-D.C.

AS OF THE DATE HEREINAFTER MENTIONED.

DATE DECEMBER 19, 1985

CAROL B. THOMPSON  
Director

*Millicent D. Arbu*  
MILLICENT D. ARBUZ  
Superintendent of Corporations

ASST.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
MARION GARRY, JR., MAYOR  
REV. JANUARY 1985

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