



FORM PTO-1618B Page 2 U.S. Department of  
Commerce  
Patent and Trademark Office  
**TRADEMARK**

Expires 06/30/99  
OMB 0651 0027

**Domestic Representative Name and Address** Enter for the first Receiving Party only.

Name \_\_\_\_\_

Address (line 1) \_\_\_\_\_

Address (line 2) \_\_\_\_\_

Address (line 4) \_\_\_\_\_

**Correspondent Name and Address**

Area Code and Telephone Number 312-577-7000

Name Edward E. Clair

Address (line 1) Fitch, Even, Tabin & Flannery

Address (line 2) 120 South LaSalle Street, Suite 1600

Address (line 4) Chicago, Illinois 60603

**Pages** Enter the total number of pages of the attached conveyance document including any attachments. # 9

**Trademark Application Number(s) or Registration Number(s)** [ ] Mark if additional numbers attached.  
*Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).*

Trademark Application Number(s)			Registration Number(s)		
			644,702	1,260,370	
			674,142		
			864,932		

**Number of Properties** Enter the total number of properties involved. # 4

**Fee Amount** Fee Amount for Properties Listed (37 CFR 3.41): \$ 115.00

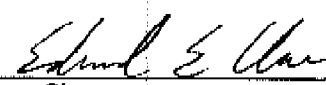
Method of Payment: Enclosed [ ] Deposit Account [X]  
(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: # 06-1135

Authorization to charge additional fees: Yes [X] No [ ]

**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. Charges to deposit account are authorized, as indicated herein.*

Edward E. Clair  01/09/03  
Name of Person Signing Signature Date Signed

# Delaware

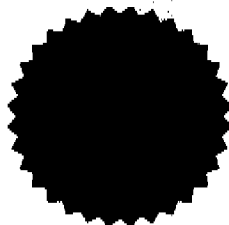
PAGE 1

*The First State*

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:

"POWERMATIC CORPORATION", A DELAWARE CORPORATION,  
WITH AND INTO "JET EQUIPMENT & TOOLS, INC." UNDER THE NAME OF "JET EQUIPMENT & TOOLS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF WASHINGTON, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-SEVENTH DAY OF JUNE, A.D. 2001, AT 1:30 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE THIRTIETH DAY OF JUNE, A.D. 2001.



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

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AUTHENTICATION: 2181259

DATE: 01-02-03

TRADEMARK

REEL: 2594 FRAME: 0558

**STATE OF DELAWARE  
CERTIFICATE OF MERGER OF  
DOMESTIC CORPORATION AND  
FOREIGN CORPORATION**

Pursuant to Title 8, Section 252(c) of the Delaware General Corporation Law, the undersigned corporation executed the following Certificate of Merger:

**FIRST:** The name of the surviving corporation is Jet Equipment & Tools, Inc., a State of Washington corporation, and the name of the corporation being merged into this surviving corporation is Powermatic Corporation, a Delaware corporation.

**SECOND:** The Plan of Merger has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations.

**THIRD:** The name of the surviving corporation is Jet Equipment & Tools, Inc., a State of Washington corporation.

**FOURTH:** The Articles of Incorporation of the surviving corporation shall be its Articles of Incorporation.

**FIFTH:** The authorized stock and par value of Jet Equipment & Tools, Inc., the non-Delaware corporation, is 3,000 shares of Class A common stock (\$10 par value per share), 15,000 shares of Class B Common Stock (\$10 par value per share); and 10,000 shares of Preferred Stock (no par value per share).

**SIXTH:** The merger is to become effective on June 30, 2001.

**SEVENTH:** The Plan of Merger is on file at 2415 West Valley Highway North, Auburn, Washington 98001, the place of business of the surviving corporation.

**EIGHTH:** A copy of the Plan of Merger will be furnished by the surviving corporation on request, without cost, to any stockholder of the constituent corporations.

**IN WITNESS WHEREOF,** said surviving corporation has caused this certificate to be signed by an authorized officer, the 26th day of June, A.D., 2001.

JET EQUIPMENT & TOOLS, INC.

By: William Bernstein  
Authorized Officer

Name: WILLIAM BERNSTEIN  
Print or Type

Title: SECRETARY

SERVICE OF PROCESS WHEN DELAWARE  
COMPANY MERGES INTO FOREIGN COMPANY

\*\*\*\*\*

The surviving corporation hereby agrees that it may be served with process in the State of Delaware in any proceeding for the enforcement of any obligation of Powermatic Corporation, a Delaware corporation, arising from the merger, including the rights of any dissenting stockholders thereof, and hereby irrevocably appoints the Secretary of State of Delaware as its agent to accept service of process in any such suit or other proceedings and agrees that service of any such process may be made by personally delivering to and leaving with such Secretary of State of the State of Delaware duplicate copies of such process; and hereby authorizes the Secretary of State of the State of Delaware to send forthwith by registered mail one of such duplicate copies of such process addressed to it at 2415 West Valley Highway North, Auburn, WA 98001 unless said surviving corporation shall hereafter designate in writing to such Secretary of State of the State of Delaware a different address for such process, in which case the duplicate copy of such process shall be mailed to the last address so designated.

JET EQUIPMENT & TOOLS, INC., the surviving corporation

By: *William Braxton*  
Print Name: William Braxton  
Title: Secretary

# STATE of WASHINGTON



## SECRETARY of STATE

I, *SAM REED*, Secretary of State of the State of Washington and custodian of its seal, hereby issue this

### ARTICLES OF MERGER

to

JET EQUIPMENT & TOOLS, INC.

a Washington Profit corporation,

were filed for record in this office on the date indicated below.

Merging POWERMATIC CORPORATION (A Delaware corp. not qualified) into JET EQUIPMENT & TOOLS, INC.

UBI Number: 278 039 045

Date: June 27, 2001



Given under my hand and the Seal of the State of Washington at Olympia, the State Capital

Sam Reed, Secretary of State  
2-149984-3

TRADEMARK

REEL: 2594 FRAME: 0561

179-1480.0  
2001

WM BERNSTEIN

**ARTICLES OF MERGER**

of

**POWERMATIC CORPORATION**

and

**JET EQUIPMENT & TOOLS, INC.**

FILED  
SECRETARY OF STATE  
JUN 27 2001  
STATE OF WASHINGTON

To the Secretary of State  
State of Washington

Pursuant to the provisions of the Washington Business Corporation Act governing the merger of a foreign business corporation with and into a domestic business corporation, the corporations hereinafter named do hereby adopt the following articles of merger.

**FIRST:** The names of the merging corporations are Powermatic Corporation which is a business corporation organized under the laws of the State of Delaware, and Jet Equipment & Tools, Inc. which is a business corporation organized under the laws of the State of Washington.

**SECOND:** Annexed hereto and made a part hereof is the Plan of Merger for merging Powermatic Corporation with and into Jet Equipment & Tools, Inc. as set forth in resolutions adopted by the Board of Directors of each of said merging corporations and directing that said Plan of Merger be submitted to the shareholders of each of said merging corporations for their approval. Neither the Board of Directors of Powermatic Corporation nor the Board of Directors of Jet Equipment & Tools, Inc. imposed any conditions on shareholder approval of said Plan of Merger.

**THIRD:** The number of shares of Jet Equipment & Tools, Inc. which were voted for the Plan of Merger was sufficient for approval pursuant to RCW 23B.11.030.

**FOURTH:** The laws of the State of Delaware, the jurisdiction of organization of Powermatic Corporation, permit the merger of a business corporation of that jurisdiction with and into a business corporation of another jurisdiction, and the merger of Powermatic Corporation with and into Jet Equipment & Tools, Inc. is in compliance with the laws of the said jurisdiction of organization of Powermatic Corporation.

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JUN 27 2001 - 276300  
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FIFTH: Jet Equipment & Tools, Inc. will continue its existence as the surviving corporation under that identical name pursuant to the provisions of the State of Washington Business Corporation Act.

SIXTH: The merger described herein shall be effective on June 30, 2001.

IN WITNESS WHEREOF, on behalf of each of the merged corporations I have subscribed this document as of the 26th day of June, 2001, and I certify under penalties of perjury that the information provided above is true, current and correct to the best of my knowledge or belief. I further certify that I am authorized to execute this document on behalf of each corporation.

POWERMATIC CORPORATION

By: 

William Bernstein  
Its Secretary

JET EQUIPMENT & TOOLS, INC.

By: 

William Bernstein  
Its Secretary



179-1480.2  
2001

**PLAN OF MERGER** approved on May 2, 2001 by Powermatic Corporation, a business corporation organized under the laws of the State of Delaware, and by Jet Equipment & Tools, Inc., a business corporation organized under the laws of the State of Washington.

1. Powermatic Corporation and Jet Equipment & Tools, Inc. shall, pursuant to the provisions of the General Corporation Law of the State of Delaware and the provisions of the Washington Business Corporation Act, respectively, be merged with and into a single corporation, to wit, Jet Equipment & Tools, Inc., which shall be the surviving corporation on the effective date of the merger and is sometimes hereinafter referred to as the "surviving corporation", and which shall continue to exist as said surviving corporation under that identical name pursuant to the provisions of the Washington Business Corporation Act. The separate existence of Powermatic Corporation, which is sometimes hereinafter referred to as the "terminating corporation", shall cease upon the effective date of the merger in accordance with the provisions of the General Corporation Law of the State of Delaware.
2. The approval of this Plan of Merger has been made by resolutions of the board of directors of each of said corporations, and by the affirmative vote of the holders of all of the outstanding shares of each of said corporations entitled to vote thereon, namely, 3,000 shares of Class A common stock (\$10 par value per share), and 15,000 shares of Class B common stock (\$10 par value per share) of Jet Equipment & Tools, Inc., the surviving corporation, and 100 shares of common stock (no par value per share) of Powermatic Corporation, the terminating corporation. Due notice of the shareholders' meetings for approval of this Plan of Merger was given to all shareholders (whether or not entitled to vote) of each of said corporations.
3. All of the assets and properties (real, personal, mixed, and tangible and intangible, of every kind, nature and description, without limitation) and all of the liabilities and debts (actual, contingent, and otherwise, of every kind, nature and description, without limitation) of Powermatic Corporation shall, upon the effective date of the merger, be the assets, properties, debts, and liabilities of Jet Equipment & Tools, Inc.
4. The Articles of Incorporation of the surviving corporation upon the effective date of the merger shall be the Articles of Incorporation of said surviving corporation and shall continue in full force and effect until amended and changed in the manner prescribed by the provisions of the Washington Business Corporation Act.
5. The present Bylaws of the surviving corporation will be the Bylaws of said surviving corporation and will continue in full force and effect until changed, altered, or amended as therein provided and in the manner prescribed by the provisions of the Washington Business Corporation Act.

6. The directors and officers in office of the surviving corporation upon the effective date of the merger shall continue to be the members of the board of directors and the officers of the surviving corporation, all of whom shall hold their directorships and offices until the election and qualification of their respective successors or until their tenure is otherwise terminated in accordance with the Bylaws of the surviving corporation.

7. Each issued share of the terminating corporation shall, upon the effective date of the merger, be cancelled and not converted or exchanged in any manner. The issued shares of the surviving corporation shall not be converted or exchanged in any manner, but each said share which is issued and outstanding as of the effective date of the merger shall continue to represent one issued share of the surviving corporation.

8. In the event that the merger of the terminating corporation with and into the surviving corporation shall have been fully authorized in accordance with the provisions of the General Corporation Law of the State of Delaware and in accordance with the provisions of the Washington Business Corporation Act, the terminating corporation and the surviving corporation hereby stipulate that they will cause to be executed and filed and/or recorded any document or documents prescribed by the laws of the State of Delaware and of the State of Washington, and that they will cause to be performed all necessary acts therein and elsewhere to effectuate the merger.

9. The board of directors and the proper officers of the terminating corporation and of the surviving corporation, respectively, and each of them, acting singly, are hereby authorized, empowered, and directed to do any and all acts and things, and to make, execute, deliver, file, and/or record any and all instruments, papers, and documents which shall be or become necessary, proper, or convenient to carry out or put into effect any of the provisions of this Plan of Merger or of the merger herein provided for.

10. The effective date of the merger described herein shall be on June 30, 2001.

**ARTICLES OF MERGER**

of

**POWERMATIC CORPORATION**

and

**JET EQUIPMENT & TOOLS, INC.**

(Pursuant to the Washington Business Corporation Act)

Filed by: William Bernstein  
Attorney-at-Law  
85 East End Avenue  
New York, New York 10028  
(212) 628-4200

TRADEMARK  
Atty. Docket No. 73609

U.S. TRADEMARK REGISTRATIONS				
	Registration No.	Registration Date	Mark	Atty Docket No.
2.	674,142	February 17, 1959	POWERMATIC (stylized)	7203-74970
3.	864,932	February 18, 1969	POWERMATIC	7203-74971
4.	1,260,370	December 6, 1983	BETTER BY DESIGN	7203/74972

Enclosed herewith are the certificates of merger and a Recordation Form Cover Sheet for recording the above-identified transaction for these Registrations. The Recordation Form Cover Sheet authorizes the Commissioner to charge one hundred and fifteen dollars (\$115.00) to Deposit Account No. 06-1135 to cover the recording fees required under 37 C.F.R. §2.6(b).

The Commissioner is further authorized to charge any additional fees which may be required in this proceeding during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Please return the enclosed documents to us once they have been recorded.

Respectfully Submitted,  
FITCH, EVEN, TABIN & FLANNERY



Edward E. Clair

Encl.  
EEC/3015/3