

12-23-2002



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IEET

TO: The Commissioner of Patents and Trademarks, U.S. Patent and Trademark Office, Washington, D.C. 20503 attached original document(s) or copy(ies).

Submission Type

- New 11-27-02
- Resubmission (Non-Recordation)  
Document ID # \_\_\_\_\_
- Correction of PTO Error  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_
- Corrective Document  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_

Conveyance Type

- Assignment  License
  - Security Agreement  Nunc Pro Tunc Assignment
  - Merger
- Effective Date  
Month Day Year  
07 02 02
- Change of Name
  - Other Corrected to correct Application Number  
previously recorded on Reel/Frame 002507-0966

Conveying Party

Mark if additional names of conveying parties attached.

Name CAPROCK INDUSTRIES, INC.

Execution Date  
Month Day Year  
05 31 1998

Formerly \_\_\_\_\_

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization DELAWARE

Receiving Party

Mark if additional names of receiving parties attached.

Name CARGILL, INCORPORATED

DBA/AKA/TA \_\_\_\_\_

Composed of \_\_\_\_\_

Address (line 1) 15407 MCGINTY ROAD WEST

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

Address (line 3) WAYZATA  
City

MINNESOTA  
State

55391  
Zip Code

- Individual  General Partnership  Limited Partnership  Association
- Corporation  Association
- Other \_\_\_\_\_
- Citizenship/State of Incorporation/Organization DELAWARE

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be on a separate document from assignment.)

FOR OFFICE USE ONLY

Public burden reporting this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignment, Washington D.C. 20231

**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 Joseph T. Nabor

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.

# 12

**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)**

			1,694,712		

**Number of Properties**

Enter the total number of properties involved. # 1

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

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

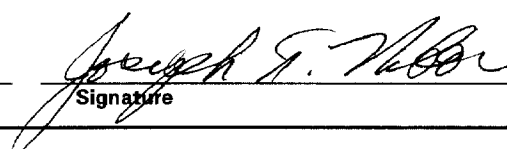
Deposit Account Number: # 06-1135

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.

Joseph T. Nabor  
Name of Person Signing

  
Signature

11/22/02  
Date Signed

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

5-2-02

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

<b>Submission Type</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Resubmission (Non-Recordation) Document ID # _____ <input type="checkbox"/> Correction of PTO Error Reel # _____ Frame # _____ <input type="checkbox"/> Corrective Document Reel # _____ Frame # _____	<b>Conveyance Type</b> <input type="checkbox"/> Assignment <input type="checkbox"/> License <input type="checkbox"/> Security Agreement <input type="checkbox"/> Nunc Pro Tunc Assignment <input checked="" type="checkbox"/> Merger Effective Date Month Day Year 05 31 1998 <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____
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**Conveying Party**  Mark if additional names of conveying parties attached.

Name CAPROCK INDUSTRIES, INC. Execution Date  
 Month Day Year  
 05 31 1998

Formerly \_\_\_\_\_

Individual  General Partnership  Limited Partnership  Corporation  Association

Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization DELAWARE

**Receiving Party**  Mark if additional names of receiving parties attached.

Name CARGILL, INCORPORATED 1694172

DBA/AKA/TA \_\_\_\_\_

Composed of \_\_\_\_\_

Address (line 1) 15407 MCGINTY ROAD WEST

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

Address (line 3) WAYZATA MINNESOTA 55391  
 City State Zip Code

Individual  General Partnership  Limited Partnership  Association  
 Corporation  Association

Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization DELAWARE

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be on a separate document from assignment.)

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05/15/2002 LUMELLER 00000270 061135 1694172

01 FC:481 40.00 CH  
02 FC:482 25.00 CH

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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignment, Washington D.C. 20231

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 JOSEPH T. NABOR

Address (line 1) FITCH, EVEN, TABIN & FLANNERY

Address (line 2) 120 SOUTH LASALLE STREET, SUITE 1600

Address (line 4) CHICAGO, IL 60603-3406

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

# 7

**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)**

			1,694,172		
			1,702,267		

**Number of Properties**

Enter the total number of properties involved.

# 2

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$ 65.00

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

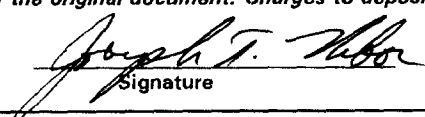
Authorization to charge additional fees:

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.*

JOSEPH T. NABOR

  
Signature

APRIL 22, 2002  
Date Signed

**CERTIFICATE OF OWNERSHIP AND MERGER  
MERGING  
CAPROCK INDUSTRIES, INC.  
INTO  
CARGILL, INCORPORATED**

\*\*\*\*

Cargill, Incorporated, a corporation organized and existing under the laws of Delaware ("Cargill"),

DOES HEREBY CERTIFY:

FIRST: Cargill was incorporated on the 18th day of July, 1930, pursuant to the General Corporation Law of the State of Delaware.

SECOND: Cargill owns all of the outstanding shares of the stock of Caprock Industries, Inc., a corporation incorporated on the 10th day of December, 1969, pursuant to the General Corporation Law of the State of Delaware ("Caprock").

THIRD: That Cargill, by resolution of its Executive Committee, duly adopted, on the 27th day of May, 1998, which resolution is attached hereto as Exhibit A, determined to and did merge into itself said Caprock. The Executive Committee of Cargill is expressly empowered to adopt a certificate of ownership and merger pursuant to Section 253 of the General Corporation Law of the State of Delaware.

FOURTH: This Certificate of Ownership and Merger shall be effective on May 31, 1998.

IN WITNESS WHEREOF, Cargill, Incorporated has caused this Certificate to be signed by William W. Veazey, Corporate Vice President and Treasurer, and attested by Jeanne Y. Smith, its Assistant Secretary, this 27th day of May, 1998.

CARGILL, INCORPORATED

By: 

William W. Veazey  
Corporate Vice President and Treasurer

ATTEST:

By: 

Jeanne Y. Smith  
Assistant Secretary

**Resolution of the Executive Committee of the Board of Directors of Cargill, Incorporated adopted on May 27, 1998**

**"WHEREAS, Cargill, Incorporated (the "Corporation") is a corporation organized and existing under the General Corporation Law of Delaware; and**

**WHEREAS, The Corporation owns all of the outstanding shares of Caprock Industries, Inc. ("Caprock"), which is organized and existing under the laws of the State of Delaware; and**

**WHEREAS, The General Corporation Law of the State of Delaware permits a merger of Caprock into the Corporation, with the Corporation being the surviving corporation (the "Merger");**

**NOW, THEREFORE, BE IT RESOLVED, That the Corporation hereby adopts the Plan of Merger of Caprock into the Corporation effective May 31, 1998, which Plan is attached hereto; and**

**RESOLVED FURTHER, That the proper officers of this Corporation be, and they hereby are, directed to make and execute a Certificate of Ownership and Merger setting forth a copy of the Resolutions to merge Caprock and assume its liabilities and obligations, and the date of adoption thereof, and to cause the same to be filed with the Secretary of the State of Delaware and to do all acts and things whatsoever, whether within or without the State of Delaware, which may be in any way necessary or proper to effect the Merger."**

# Delaware

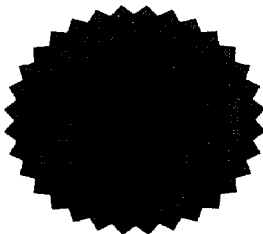
PAGE 1

*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 OWNERSHIP, WHICH MERGES:

"CAPROCK INDUSTRIES, INC.", A DELAWARE CORPORATION,  
WITH AND INTO "CARGILL, INCORPORATED" UNDER THE NAME OF  
"CARGILL, INCORPORATED", A CORPORATION ORGANIZED AND EXISTING  
UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED  
IN THIS OFFICE THE TWENTY-EIGHTH DAY OF MAY, A.D. 1998, AT 10:30  
O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF  
THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY  
OF MAY, A.D. 1998.



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

0736305 8100M

AUTHENTICATION: 1678529

020185347

DATE: 03-20-02

RECORDED: 11/27/2002

TRADEMARK

REEL: 002637 FRAME: 0680