

01-10-2003



Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings

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3. 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): Allwaste Recycling, Inc.

- Individual(s) Association General Partnership Limited Partnership Corporation-State DE 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: 09/14/1995

2. Name and address of receiving party(ies)

Name: Strategic Materials, Inc. Internal Address:

Street Address: 1505 Hwy. 6 South, Suite 100

City: Houston State: TX Zip: 77077

- 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)

B. Trademark Registration No.(s) 1,989,146

Additional number(s) attached Yes No

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

Name: Mark A. Oathout, Attorney at Law

Internal Address:

Street Address: 3730 Kirby Drive, Suite 830

City: Houston State: TX Zip: 77098

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:

DO NOT USE THIS SPACE

9. Signature.

Mark A. Oathout Name of Person Signing

Signature

12/20/2002 Date

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

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

TRADEMARK REEL: 002646 FRAME: 0120

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE RESTATED CERTIFICATE OF "ALLWASTE RECYCLING, INC.", CHANGING ITS NAME FROM "ALLWASTE RECYCLING, INC." TO "STRATEGIC MATERIALS, INC.", FILED IN THIS OFFICE ON THE FOURTEENTH DAY OF SEPTEMBER, A.D. 1995, AT 4:30 O'CLOCK P.M.

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



*Edward J. Freel*

Edward J. Freel, Secretary of State

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AUTHENTICATION: 7641875

DATE: 09-15-95

4 No. 6450 P. 3/7

STRATEGIC MATERIALS TRADEMARK

REEL: 002646 FRAME: 0121

**AMENDED AND RESTATED  
CERTIFICATE OF INCORPORATION  
OF  
ALLWASTE RECYCLING, INC.**

ALLWASTE RECYCLING, INC. (the "Corporation"), a corporation organized and existing under the General Corporation Law of the State of Delaware, does hereby certify that it was incorporated on November 30, 1989, as ALLWASTE RESOURCE RECOVERY, INC.

**ARTICLE ONE**

This Amended and Restated Certificate of Incorporation has been duly adopted in accordance with the applicable provisions of Sections 242 and 245 of the General Corporation Law of the State of Delaware (the "DGCL") by the Board of Directors of the Corporation.

**ARTICLE TWO**

This Amended and Restated Certificate of Incorporation was approved by written consent of the stockholders pursuant to Section 228 of the DGCL.

**ARTICLE THREE**

The Certificate of Incorporation of this Corporation and all amendments thereto are hereby superseded by the following Amended and Restated Certificate of Incorporation, which accurately sets forth the entire text of the Certificate of Incorporation:

**ARTICLE I**

**NAME**

The name of the corporation is Strategic Materials, Inc.

**ARTICLE II**

**REGISTERED OFFICE/AGENT**

The registered office of the Corporation in the State of Delaware is Corporation Trust Center, 1209 Orange Street, in the City of Wilmington, County of New Castle, Delaware 19801. The name of its registered agent at such address is The Corporation Trust Company.

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