

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

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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):

Cyberex, Inc.

- Individual(s), Association, General Partnership, Limited Partnership, Corporation-State, Other

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

2. Name and address of receiving party(ies)

Name: Danaher Power Solutions LLC

Internal Address: Suite 310

Street Address: 6095 Parkland Blvd.

City: Mayfield Hts. State: OH Zip: 44124

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State

Other Delaware limited liability co.

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

3. Nature of conveyance:

- Assignment, Merger, Security Agreement, Change of Name, Other

Execution Date: June 4, 1997

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 1238093

Additional number(s) attached Yes No

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

Name: Linda Bayliss

Internal Address: Suite 1800

Street Address: 425 Walnut Street

City: Cinti State: OH Zip: 45202

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:

20-0053

DO NOT USE THIS SPACE

9. Signature.

Linda D. Bayliss, paralegal, Taft, Stettinius & Hollister LLP

Signature: Linda Bayliss

Date: May 8, 2003

Total number of pages including cover sheet, attachments, and document: 7

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

State of Delaware  
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 CERTIFICATE OF MERGER, WHICH MERGES:

"CYBEREX, INC.", A OHIO CORPORATION,  
WITH AND INTO "CYBEREX, LLC" UNDER THE NAME OF "CYBEREX, LLC", A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE FOURTH DAY OF JUNE, A.D. 1997, AT 11:30 O'CLOCK A.M.



*Edward J. Freel*

Edward J. Freel, Secretary of State

2699668 8100M

AUTHENTICATION: 8495123

DATE: TRADEMARK  
REEL: 002646 FRAME: 0328

3049-901



# The State of Ohio

**Bob Taft**

Secretary of State

981222

## Certificate

It is hereby certified that the Secretary of State of Ohio has custody of the Records of Incorporation and Miscellaneous Filings; that said records show the filing and recording of: MUL MIS PER of:

CYBEREX LLC

United States of America  
State of Ohio  
Office of the Secretary of State

Recorded on Roll 5893 at Frame 0410 of  
the Records of Incorporation and Miscellaneous Filings.

Witness my hand and the seal of the Secretary of State at  
Columbus, Ohio, this 4TH day of JUNE  
A.D. 19 97



*Bob Taft*  
Bob Taft  
Secretary of State

TRADEMARK  
REEL: 002646 FRAME: 0329

**CERTIFICATE OF MERGER  
OF  
CYBEREX, INC.  
(an Ohio corporation)  
INTO  
CYBEREX, LLC  
(a Delaware limited liability company)**

Cyberex, LLC hereby certifies that:

**FIRST:** The name and state of formation of each of the constituent entities are Cyberex, Inc., an Ohio corporation and Cyberex LLC, a Delaware limited liability company.

**SECOND:** An Agreement of Merger has been approved, adopted, certified, executed and acknowledged by Cyberex, Inc. and by Cyberex, LLC in accordance with the provisions of Section 18-209 of the Delaware Limited Liability Company Act.

**THIRD:** The name of the surviving limited liability company is Cyberex, LLC.

**FOURTH:** The surviving limited liability company is a limited liability company of the State of Delaware and the Certificate of Formation of the surviving limited liability company as in force and effect upon the effective date of the merger in the State of Delaware shall be the Certificate of Formation of the surviving limited liability company and shall continue in full force and effect until amended and changed in the manner prescribed by the provisions of the Delaware Limited Liability Company Act.

**FIFTH:** The executed Agreement of Merger is on file at the principal place of business of Cyberex, LLC at 7171 Industrial Park Blvd., Mentor, Ohio 44060. A copy of the Agreement of Merger will be furnished by Cyberex, LLC on request and without cost to any shareholder of Cyberex, Inc. or any member of Cyberex, LLC.

**SIXTH:** This Certificate of Merger shall be effective upon the filing in the office of the Secretary of State.

IN WITNESS WHEREOF, Cyberex, LLC has caused this certificate to be signed by its sole member as of the 30<sup>th</sup> day of May, 1997.

CYBEREX, LLC

By: JOSLYN COMPANY LLC

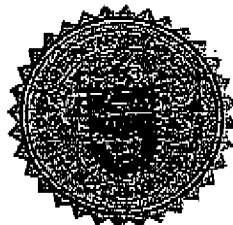
By: C. Scott Brannan  
C. Scott Brannan  
Vice President

# Delaware

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*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 AMENDMENT OF "CYBEREX, LLC", CHANGING ITS NAME FROM "CYBEREX, LLC" TO "DANAHER POWER SOLUTIONS LLC", FILED IN THIS OFFICE ON THE EIGHTEENTH DAY OF DECEMBER, A.D. 2001, AT 9 O'CLOCK A.M.



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 1529242

DATE: 12-27-01

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CERTIFICATE OF AMENDMENT  
TO  
CERTIFICATE OF FORMATION  
OF  
CYBEREX, LLC

It is hereby certified that:

1. The name of the limited liability company (the "Limited Liability Company") is Cyherex, LLC.

2. The certificate of formation of the Limited Liability Company is hereby amended by striking out Article FIRST and substituting in lieu thereof the following new Article FIRST:

"FIRST: The name of the limited liability company (the "Limited Liability Company") is Danaher Power Solutions LLC. "

Executed on December 17, 2001

CYBEREX, LLC

BY Christopher C. McMahon  
Christopher C. McMahon  
Vice President

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 09:00 AM 12/18/2001  
010651453 - 2699668

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