

01-24-2003



Form PTO-1594

(Rev. 10/02)

OMB No. 0651-0027 (exp. 6/30/2005)

Tab settings ⇨ ⇨ ⇨

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TRADEMARKS ONLY

COVER SHEET

U.S. 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):

M.D. Industries, Inc.

1-21-03

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

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Correction of assignee's name, address, and entity on merger document previously recorded at Reel Execution Date: 08/07/2001 recorded at Reel 002367/0780.
- Merger
- Change of Name

2. Name and address of receiving party(ies)

Name: MD Industries Acquisition LLC

Internal

Address:

Street Address: 201 Main Street, Suite 1900

City: Fort Worth State: TX Zip: 76102

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State
- Other Limited Liability Company - Delaware

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) none

B. Trademark Registration No.(s) 824,268; 865,102;

1,098,194; 1,193,420; 1,212,884; 1,540,330;

2,073,958

Additional number(s) attached Yes No

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

Name: Fulbright & Jaworski L.L.P.

Internal Address: Linda M. Merritt

Street Address: 2200 Ross Avenue, Suite 2800

City: Dallas State: TX Zip: 75201

6. Total number of applications and registrations involved: 7

7. Total fee (37 CFR 3.41) \$ 190.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: - not applicable -

01/23/2003 DBYRNE 00000078 824268

DO NOT USE THIS SPACE

9. Signature.

40.00 OP
150.00 OP

Linda M. Merritt

Name of Person Signing

Linda M. Merritt

Signature

1/13/2003

Date

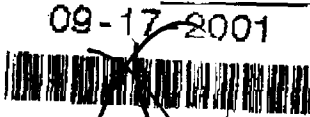
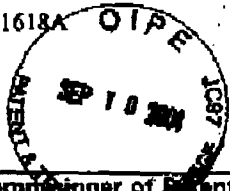
Total number of pages including cover sheet, attachments, and document: 7

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

OFFICE OF THE RECORDS
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01 FC:8521
02 FC:8522

FORM PTO-1618A
Expires 08/2009
OMB 0851-0027



09-17-2001

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TRADEMARKS UNIT

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

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

Submission Type

New *09/10/01*

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

Change of Name

Other _____

Effective Date
Month Day Year
08 07 2001

Conveying Party Mark if additional names of conveying parties attached.

Name M.D. INDUSTRIES, INC. Execution Date
Month Day Year
08/ 07 /2001

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 M.D. INDUSTRIES ACQUISITION, LLC

OBA/AKA/TA _____

Composed of _____

Address (line 1) 5 REVERE DRIVE, P.O. BOX 1365

Address (line 2) SUITE 415

Address (line 3) NORTHBROOK IL 60065-1365
City State Zip Code

Individual General Partnership Limited Partnership 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.)

09/14/2001 LABELER 00000164 061135 024264
01 FE:481 40.00 CH
02 FC:482 150.00 CH

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 (0851-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0851-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

TRADEMARK
REEL: 002387 FRAME: 0780

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Mail documents to be recorded with required cover sheet(s) information to:
 Commissioner of Patents and Trademarks, Box 7, Assignment, Washington D.C. 20231

FORM PTO-1612B	Page 2	U.S. Department of Commerce Patent and Trademark Office TRADEMARK
Expires 08/30/99 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 <u>312-577-7000</u>
Name <u>MORGAN L. FITCH, JR.</u>		
Address (line 1) <u>FITCH, EVEN, TABIN & PLANNERY</u>		
Address (line 2) <u>120 SOUTH LASALLE SUITE 1600</u>		
Address (line 4) <u>CHICAGO, IL 60603 3406</u>		
Pages Enter the total number of pages of the attached conveyance document including any attachments.		# <u>7</u>
Trademark Application Number(s) or Registration Number(s) <input type="checkbox"/> Mark if additional numbers attached. <small>Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).</small>		
Trademark Application Number(s)		Registration Number(s)
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
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<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
Number of Properties		Enter the total number of properties involved. # <u>7</u>
Fee Amount		Fee Amount for Properties Listed (37 CFR 3.41): \$ <u>190.00</u>
Method of Payment: Enclosed <input type="checkbox"/> Deposit Account <input checked="" type="checkbox"/> <small>(Enter for payment by deposit account or if additional fees can be charged to the account.)</small>		
Deposit Account Number:		# <u>06-1135</u>
Authorization to charge additional fees:		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Statement and Signature		
<small>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.</small>		
MORGAN L. FITCH, JR. Name of Person Signing	 Signature	SEP 07 2007 Date Signed

TRADEMARK
 REEL: 002367 FRAME: 0781

TRADEMARK
 REEL: 002654 FRAME: 0682

State of Delaware
Office of the Secretary of State PAGE 1

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:

"M.D. INDUSTRIES, INC.", A DELAWARE CORPORATION,

WITH AND INTO "MD INDUSTRIES ACQUISITION LLC" UNDER THE NAME OF "MD INDUSTRIES ACQUISITION LLC", A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE SEVENTH DAY OF AUGUST, A.D. 2001, AT 3:30 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE SEVENTH DAY OF AUGUST, A.D. 2001, AT 11:58 O'CLOCK P.M.



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

3390909 8100M

010421781

AUTHENTICATION: 1314843

DATE: 08-27-01

TRADEMARK
REEL: 002367 FRAME: 0782

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REEL: 002654 FRAME: 0683

AUG-27-2001 13:59

CT CORPORATION SYSTEM

214 754 0921 P.02/05



CERTIFICATE OF MERGER
of
M.D. Industries, Inc.
with and into
MD Industries Acquisition LLC

(Under Section 18-209 of the Delaware Limited Liability Company Act)

The undersigned limited liability company organized and existing under and by virtue of the laws of the state of Delaware, DOES HEREBY CERTIFY:

1. That the name and jurisdiction of formation or organization of each of the constituent entities of the merger are as follows:

<u>Name</u>	<u>State of Formation/Organization</u>
M.D. Industries, Inc.	Delaware
MD Industries Acquisition LLC	Delaware

2. That an agreement and plan of merger (the "Agreement of Merger"), has been approved, adopted, certified, executed and acknowledged by each of the constituent entities in accordance with the requirements of Section 18-209 of the Delaware Limited Liability Company Act and Section 264(c) of the Delaware General Corporation Law.

3. That the name of the surviving entity of the merger is M.D. Industries Acquisition LLC, a Delaware limited liability company.

4. That the executed Agreement of Merger is on file at an office of the surviving limited liability company at 201 Main Street, Suite 1900, Fort Worth, Texas 76102.

5. That a copy of the Agreement of Merger will be furnished by the surviving limited liability company, on request and without cost, to any stockholder, member, or other person holding an interest of either of the constituent entities.

6. That this Certificate of Merger shall be effective as of 11:58 P. M. on August 7, 2001.

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:30 PM 08/07/2001
010394985 - 3890909

TRADEMARK
REEL: 002367 FRAME: 0783

TRADEMARK
REEL: 002654 FRAME: 0684

AUG-07-2001 13:58

CT CORPORATION SYSTEM

214 754 0921 P.03/05

EXECUTED to be effective August 7, 2001.

MD INDUSTRIES ACQUISITION LLC,
a Delaware limited liability company

By: 
Name: JOHN S. COCHRAN
Title: VICE PRESIDENT

4000901.2

TRADEMARK
REEL: 002367 FRAME: 0784

TRADEMARK
REEL: 002654 FRAME: 0685

TRADEMARKS

M.D. Industries, Inc.

To

M.D. Industries Acquisition, LLC

<u>MARK</u>	<u>REG/SERIAL NO.</u>	<u>REG/FILING DATE</u>
MELT-A-WAY	824,268	February 21, 1967
DETERGENT "1.2.2"	865,102	February 18, 1969
WASH-AWAY	1,098,194	August 1, 1978
TOSS-A-WAY	1,193,420	April 6, 1982
M.D. & DESIGN	1,212,884	October 19, 1982
SAF-T-SEAL	1,540,330	May 23, 1989
MD AND DESIGN	2,073,958	June 24, 1997

RECORDED: 09/10/2001

TRADEMARK
REEL: 002367 FRAME: 0785

RECORDED: 01/21/2003

TRADEMARK
REEL: 002654 FRAME: 0686