

RECORDED

03-27-2003



ET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks 102401533

Original documents or copy thereof.

1. Name of conveying party(ies):

PROMATEC TECHNOLOGIES, INC.

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

3. Nature of conveyance:

☐ Assignment ☒ Merger
☐ Security Agreement ☐ Change of Name
☐ Other:

Execution Date: September 20, 2001

2. Name and address of receiving party(ies)

Name: PERFORMANCE CONTRACTING, INC.

Street Address: 16047 West 110th Street
Lenexa, Kansas 66219Additional name(s) & address(es) attached? ☐ Yes ☒ No

☐ Individual(s) citizenship _____
☐ Association _____
☐ General Partnership _____
☐ Limited Partnership _____
☒ Corporation-State Kansas
☐ Other: _____
 If assignee is not domiciled in the United States, a domestic representative designation is attached ☐ yes ☐ no
 Additional name(s) & address(es) attached? ☐ yes ☒ no

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

If this document is being filed together with a new application, the execution date of the application is:

A. Trademark application No.(s)

B. Trademark Registration No.(s)

1,810,775

Additional numbers attached? ☐ Yes ☒ No

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

Louis T. Isaf
 WOMBLE CARLYLE SANDRIGE & RICE, PLLC
 P.O. Box 7037
 Atlanta, Georgia 30357-0037
 (404) 962-7523 (telephone)
 (404) 870-8173 (fax)

03/26/2003 T01A21 00000193 1810775

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40.00 DP

6. Total number of applications/trademarks involved: [1]

7. Total fee (37 CFR 3.41) \$40.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit Account Number: 09-0528

(Attach duplicate copy of this page if paying by Deposit Account)

DO NOT USE THIS SPACE

9. 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.

LOUIS T. ISAF

Name of Person Signing

Signature

March 21, 2003

Date

Docket No. P059 3014 (38365.0008.2)

Total number of pages including cover sheet, attachments, and document: [5]

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

**CERTIFICATE OF MERGER
OF
PROMATEC TECHNOLOGIES, INC.,
INTO
PERFORMANCE CONTRACTING, INC.**

The undersigned corporation DOES HEREBY CERTIFY:

FIRST: That the names and states of incorporation of each of the constituent corporations of the merger are as follows:

PROMATEC TECHNOLOGIES, INC.	DELAWARE
PERFORMANCE CONTRACTING, INC.	KANSAS

SECOND: That an Agreement and Plan of Merger between the parties to merger has been adopted, approved, certified, executed and acknowledged by each of the constituent corporations in accordance with the requirements of Section 252 of the General Corporation Law of Delaware.

THIRD: That the name of the surviving corporation of the merger is Performance Contracting, Inc., a Kansas corporation.

FOURTH: That the Certificate of Incorporation of Performance Contracting, Inc., a Kansas corporation, which is the surviving corporation, shall continue in full force and effect as the Certificate of Incorporation of the surviving corporation.

FIFTH: That the executed Agreement and Plan of Merger is on file at the principal place of business of the surviving corporation located at: 16047 W. 110th Street, Lenexa, KS 66219.

SIXTH: That a copy of the Agreement and Plan of Merger will be furnished, on request and without cost, to any stockholder of any constituent corporation.

SEVENTH: That Performance Contracting, Inc. survives the merger and may be served with process in the State of Delaware in any proceeding for enforcement of any obligation of any constituent Delaware corporation as well as for enforcement of any obligation of the surviving corporation arising from the merger, including any suit or other proceeding to enforce the right of any stockholder as determined in appraisal proceedings pursuant to the provisions of Section 262 of the General Corporation Law of Delaware, and it does hereby irrevocably appoint the Secretary of State of Delaware as its agent to accept service of process in any such suit or other proceeding. The address to which a copy of such process shall be mailed by the Secretary of State of Delaware is 16047 W. 110th Street, Lenexa, KS 66219, until the surviving corporation shall have hereafter designated in writing to the said Secretary of State a different address for such purposes.

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 12:00 PM 09/25/2001
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082-F 03/04 P-932 T-790

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FROM-STINSON, MAG & FIZZEK


Sep-25-01 10:35

**TRADEMARK
REEL: 002700 FRAME: 0055**

EIGHTH: That this Certificate of Merger shall be effective on the close of business on September 28, 2001.

IN WITNESS WHEREOF, said surviving corporation has caused this certificate to be signed by an authorized officer, the 20th day of September, 2001.

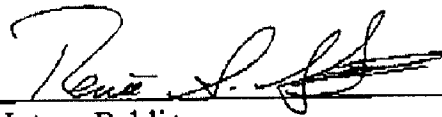
PERFORMANCE CONTRACTING, INC.

By 
Name: Craig D. Davis
Title: President

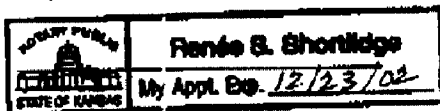
STATE OF KANSAS)
)ss.
COUNTY OF Johnson)

BE IT REMEMBERED, that before me Renee S. Shortidge, a Notary Public in and for the county and state aforesaid, came Craig D. Davis, President of said Performance Contracting, Inc., a corporation organized under the laws of the State of Kansas, personally known to me to be the same person who executed the foregoing certificate, and duly acknowledged the execution of the same as his act and deed and as the act and deed of the corporation this 20th day of September, 2001.

(SEAL)


Notary Public

My Commission expires:



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being mailed in an envelope by First Class mail to:

**Commissioner for Patents and Trademarks
Box ASSIGNMENTS
Washington, D.C. 20231**

on 3-21-03.

Suzanne Skinner
(Typed or printed name of person mailing correspondence)

Suzanne Skinner
(Signature of person mailing correspondence)

Registration Number: **1,810,775**

Registration Date: **December 14, 1993**

Mark: **PROMATEC STYLIZED**

Our Reference Number: **P059 3014**

Recordation Form Cover Sheet

Certificate of Merger of Promatec Technologies, Inc. into Performance Contracting, Inc.

Recording Fee - \$40.00 - Check# 036191

Return Postcard

Delaware

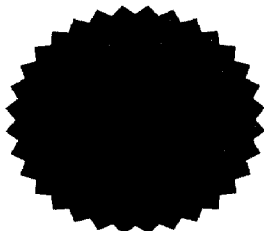
PAGE 1

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:

"PROMATEC TECHNOLOGIES, INC.", A DELAWARE CORPORATION,

WITH AND INTO "PERFORMANCE CONTRACTING, INC." UNDER THE NAME OF "PERFORMANCE CONTRACTING, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF KANSAS, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-FIFTH DAY OF SEPTEMBER, A.D. 2001, AT 12 O'CLOCK P.M.



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

2312283 8100M

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RECORDED: 03/26/2003

AUTHENTICATION: 2293085

DATE: 03-06-03

TRADEMARK

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