

03-31-2003

RECO



3-10-03

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To the Honorable Commissioner of Patents and Trademarks

original documents or copy thereof.

<p>1. Name of conveying party(ies): <u>Tucker Industries, Inc.</u></p> <p><input type="checkbox"/> Individual(s)      <input type="checkbox"/> Association  <input type="checkbox"/> General Partnership      <input type="checkbox"/> Limited Partnership  <input checked="" type="checkbox"/> Corporation-State of a California  <input type="checkbox"/> Other _____</p> <p>Additional names of conveying party(ies) attached?  <input type="checkbox"/> yes    <input checked="" type="checkbox"/> no</p> <hr/> <p>3. Nature of Conveyance</p> <p><input type="checkbox"/> Assignment      <input checked="" type="checkbox"/> Merger  <input type="checkbox"/> Security Agreement      <input type="checkbox"/> Change of Name  <input type="checkbox"/> Other _____</p> <p>Execution Date: July 18, 2001</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: <u>Tucker Safety Products, Inc.</u></p> <p>Internal Address: _____</p> <p>Street Address:  <u>2835 Janitell Road</u>  City <u>Colorado Springs</u>  State <u>CO</u> Zip <u>80906</u></p> <p><input type="checkbox"/> Individual(s) citizenship _____  <input type="checkbox"/> Association _____  <input type="checkbox"/> General Partnership _____  <input type="checkbox"/> Limited Partnership _____  <input checked="" type="checkbox"/> Corporation-State <u>Colorado</u>  <input type="checkbox"/> Other _____</p> <p>Additional name(s) &amp; address(es) attached? <input type="checkbox"/> yes    <input checked="" type="checkbox"/> no</p>
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4. Application number(s) or registration number(s): Per Schedule B

A. Trademark Application No(s) \_\_\_\_\_ B. Trademark Registration No(s) \_\_\_\_\_

2,047,738

Additional numbers attached?  Yes     No

<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p><u>Kristin J. Frost, Esq.</u>  <u>Calfee, Halter &amp; Griswold LLP</u>  <u>800 Superior Avenue - Suite 1400</u>  <u>Cleveland, Ohio 44114-2688</u></p> <p style="text-align: center;"><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being transmitted via facsimile to Assistant Commissioner for Trademarks, Assignment Division, at (703) 306-5995, on this 7th day of March, 2003.</p> <p style="text-align: center;">  Debra L. Hale</p>	<p>6. Total number of applications and registrations involved: <u>2</u></p> <p>7. Total fee (37 CFR 3.41): <u>\$40.00</u></p> <p><input type="checkbox"/> Enclosed  <input checked="" type="checkbox"/> Authorized to be charged to deposit account  <input checked="" type="checkbox"/> Total Fee Due  <input checked="" type="checkbox"/> Any deficiencies in the enclosed fees.</p> <p>8. Deposit account number: <u>03-0172</u>  <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge our deposit account for any deficiencies in the enclosed fees.</p> <p>(Attach duplicate copy of this page if paying by deposit account)</p>
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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.**

Kristin J. Frost      03/07/2003  
Name of Person Signing      Signature      Date

Total number of pages comprising transmittal: 1

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01 FC:851 40.00 BF

TRADEMARK  
REEL: 002702 FRAME: 0200

**ARTICLES OF MERGER**

Tucker Industries Incorporated, a California corporation ("Tucker"), and Tucker Safety Products, Inc., a Colorado corporation ("TSP"), (together called the "Constituent Corporations") hereby certify that:

FILED  
DONETTA DAVIDSON  
COLORADO SECRETARY OF STATE

**FIRST:** The name and state of incorporation of each of the Constituent Corporations are as follows:

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\$ 50.00  
SECRETARY OF STATE  
07-19-1999 15:41:43

Name	State of Incorporation
<i>Rev 119</i> <i>FPC 19951113457</i> Tucker Industries Incorporated	California
<i>DPC 19991009885</i> <i>Schwartz</i> Tucker Safety Products, Inc.	Colorado

**SECOND:** An Agreement of Merger and Plan of Merger and Reorganization, dated the 14 day of December, 1998, among the Constituent Corporations (the "Agreement of Merger") has been approved, adopted, certified, executed, and acknowledged by each of the Constituent Corporations in accordance with Title 7, Section 7, Articles 101 to 117, et seq., of the Colorado Revised Statutes and in accordance with the applicable provisions of the General California Corporate Code. The authorized capital stock of Tucker is One Million (1,000,000) shares of common stock with no par value per share. The authorized capital stock of TSP is One Thousand (1,000) shares of common stock with no par value per share.

**THIRD:** The name of the surviving corporation is Tucker Safety Products, Inc., a Colorado corporation (hereinafter called the "Surviving Corporation").

COMPUTER UPDATE COMPLETE  
KVV

**FOURTH:** The executed Agreement of Merger is on file on the principal place of business of the Surviving Corporation, in Colorado Springs, Colorado.

**FIFTH:** A copy of the Agreement of Merger will be furnished by the Surviving Corporation, on request and without cost, to any person who was heretofore or is hereafter a stockholder of any of the Constituent Corporations.

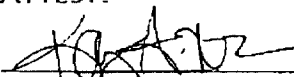
**SIXTH:** The merger of the Constituent Corporations pursuant to these Articles of Merger shall be effective on the latter of the 31st day of December, 1998 or the date of filing with the Colorado Secretary of State.

**IN WITNESS WHEREOF,** Tucker has caused these articles to be signed by Vincent Tucker as its President, and attested by Kathryn A. Tucker as its Secretary, and TSP has caused these Articles to be signed by Vincent Tucker its President, and attested by Kathryn A. Tucker as its Secretary, this 14 day of DECEMBER, 1998.

Tucker Industries Incorporated,  
a California corporation:

By:   
Vincent Tucker, President

ATTEST:

By:   
Kathryn A. Tucker, Secretary

Tucker Safety Products, Inc.,  
a Colorado corporation

By: *Vincent Tucker*  
Vincent Tucker, President

ATTEST:

By: *Kathryn A. Tucker*  
Kathryn A. Tucker, Secretary

STATE OF COLORADO )  
COUNTY OF El Paso ) ss.

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of July, ~~1998~~<sup>1999</sup> by Vincent A. Tucker as President of Tucker Industries Incorporated, a California corporation.

Witness my hand and official seal.

My commission expires:

1/23/2002

*[Signature]*  
Notary Public

STATE OF COLORADO )  
COUNTY OF El Paso ) ss.

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of July, ~~1998~~<sup>1999</sup> by Kathryn A. Tucker as Secretary of Tucker Industries Incorporated, a California corporation.

Witness my hand and official seal.

My commission expires:


1/23/2002

*[Signature]*  
Notary Public

STATE OF COLORADO )  
COUNTY OF El Paso ) ss.

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of July, ~~1998~~ 1998 by Vincent A. Tucker as President of Tucker Safety Products, Inc., a Colorado corporation.

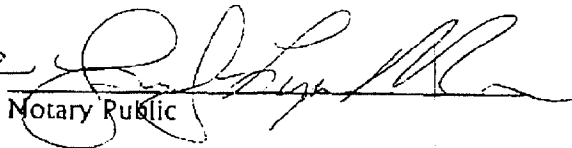
Witness my hand and official seal.  
My commission expires:

1/23/2002  
  
Notary Public

STATE OF COLORADO )  
COUNTY OF El Paso ) ss.

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of July, ~~1998~~ 1998, by Kathryn A. Tucker as Secretary of Tucker Safety Products, Inc., a Colorado corporation.

Witness my hand and official seal.  
My commission expires:

1/23/2002  
  
Notary Public

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