

Form PTO-1594  
(Rev. 10/02)

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

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

**1. Name of conveying party(ies):**

Wheelabrator Engineered Systems Inc.  
55 Shuman Boulevard  
Naperville, IL 60563

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

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

**3. Nature of conveyance:**

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

Execution Date: May 25, 1995

**2. Name and address of receiving party(ies)**

Name: Wheelabrator Clean Water Inc.  
Internal  
Address:

Street Address: 55 Shuman Boulevard  
City: Naperville State: IL Zip: 60563

- 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) 326,612

Additional number(s) attached  Yes  No

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

Name: Julie A. McWhirter

Internal Address:

Howrey Simon Arnold & White, LLP

Street Address: 750 Bering Drive

City: Houston State: TX Zip: 77057

**6. Total number of applications and registrations involved:**

1

7. Total fee (37 CFR 3.41).....\$ 40

- Enclosed
- Authorized to be charged to deposit account

**8. Deposit account number:**

01-2508/13134.0294.WCOS

**DO NOT USE THIS SPACE**

**9. Signature.**

Julie A. McWhirter  
Name of Person Signing

*Julie A. McWhirter*  
Signature

September 10, 2003  
Date

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

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

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*State of Delaware*  
*Office of the Secretary of State* PAGE 1

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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 "WHEELABRATOR ENGINEERED SYSTEMS INC.", CHANGING ITS NAME FROM "WHEELABRATOR ENGINEERED SYSTEMS INC." TO "WHEELABRATOR CLEAN WATER INC.", FILED IN THIS OFFICE ON THE TWENTY-FIFTH DAY OF MAY, A.D. 1995, AT 2 O'CLOCK P.M.



*Harriet Smith Windsor*  
*Harriet Smith Windsor, Secretary of State*

AUTHENTICATION: 1319302

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DATE: 08-28-91 TRADEMARK

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STATE OF DELAWARE  
SECRETARY OF STATE 02  
DIVISION OF CORPORATIONS  
FILED 02:00 PM 05/25/1995  
950116293 - 2079727

**CERTIFICATE OF AMENDMENT  
of  
CERTIFICATE OF INCORPORATION  
of  
WHEELABRATOR ENGINEERED SYSTEMS INC.**

**WHEELABRATOR ENGINEERED SYSTEMS INC., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "Law"), DOES HEREBY CERTIFY:**

**FIRST:** That the Board of Directors of **WHEELABRATOR ENGINEERED SYSTEMS INC.,** by the unanimous written consent of its members pursuant to Section 141(f) of the Law, filed with the minutes of the proceedings of the Board, duly adopted a resolution setting forth a proposed amendment to the Certificate of Incorporation of said corporation and declaring said amendment to be advisable. The resolution setting forth the proposed amendment is as follows:

**RESOLVED,** by the Board of Directors and the Stockholders of the Corporation that **Article FIRST:** of the Certificate of Incorporation of the Corporation be amended to read, in its entirety, as follows:

**FIRST:** The name of the corporation is **WHEELABRATOR CLEAN WATER INC.** (hereinafter the "Corporation").

**FURTHER RESOLVED,** that the President or any Vice President and the Secretary or any Assistant Secretary of the Corporation be, and hereby is, for and on behalf of the Corporation, authorized to execute and deliver and shall cause to be filed, as appropriate, such certificates, instruments and other documents, and shall take such other actions as in their judgment may be necessary or advisable to effect the proposed amendment and the intent of these resolutions.

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SECOND: That in lieu of a meeting and vote of the stockholders, the stockholders have given unanimous written consent to said amendment in accordance with the provisions of Section 228 of the Law and that said consent has been filed with the minutes of the proceedings of the stockholders.

THIRD: That the aforesaid amendment of the Certificate of Incorporation was duly adopted pursuant to the applicable provisions of Section 141, 228 and 242 of the Law.

IN WITNESS WHEREOF, said WHEELABRATOR ENGINEERED SYSTEMS INC. has caused this instrument to be executed for and on its behalf by a Vice President, thereunto duly authorized, and attested by an Assistant Secretary, this 23rd day of May, 1995.

WHEELABRATOR ENGINEERED SYSTEMS INC.

By Mark T. Tamm  
Vice President

ATTEST:

Barbara Rindfleisch  
Assistant Secretary