

06-17-2003

FORM PTO-1594  
(Rev. 6-93)

RECORD



OMB. No. 0651-0011 (exp. 4/94)

6-13-03<sup>TI</sup>

102474943

U.S. DEPARTMENT OF COMMERCE  
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):

American Coupler Systems, Inc.

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

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

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

Name: ACS Industries, Inc.

Internal Address:

Street Address: 2151 Mogadore Road

City: Kent State: Ohio ZIP: 44240

- Individual(s)
- Association
- General Partnership
- Limited Partnership
- Corporation-State Ohio
- 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) and addresses attached?  Yes  No

3. Nature of conveyance:

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

Execution Date: February 5, 1991

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,114,164

Additional numbers attached?  Yes  No

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

Name: Reese Taylor, Esq.  
Renner, Kenner, Greive, Bobak, Taylor & Weber

Internal Address:

Street Address: Fourth Floor, First National Tower

City: Akron State: OH ZIP: 44308-1456

6. Total Number of applications and registrations involved

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

- Enclosed
- Authorized to be charged to deposit account (any fee deficiency)

8. Deposit Account Number:  
18-0987

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.

Reese Taylor

Name of Person Signing

*Reese Taylor*  
Signature

6-10-03

Date

Total number of pages including cover sheet, attachments and document: 6

06/16/2003 ECDOPER 00000180 2114164

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40.00 DP

Mail documents to be recorded with required cover sheet information to:

Box Assignments  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

TRADEMARK  
REEL: 002755 FRAME: 0659

H092-1504

## AGREEMENT OF MERGER

THIS AGREEMENT OF MERGER made by and between ACS INDUSTRIES, INC., an Ohio corporation ("ACS") and AMERICAN COUPLER SYSTEMS, INC., an Ohio corporation ("Couplers") on the      day of February, 1991.

WHEREAS, it is the desire of the directors and shareholders of ACS and the directors of Couplers to merger ACS into Couplers, its parent corporation, which owns all of the outstanding stock of ACS; and

WHEREAS, the conditions set forth in Section 1701.78, Divisions (1), (2), (3), and (4) do not exist; and

WHEREAS, ACS has outstanding one class of shares, to wit, Common Stock, of which there are five hundred (500) shares authorized and ten (10) shares outstanding, all of which are owned by Couplers;

NOW, THEREFORE, ACS and Couplers, in consideration of the premises and the covenants and agreements hereinafter set forth, agree as follows:

1. ACS shall be merged into Couplers and Couplers shall be the surviving corporation (the "Surviving Corporation") and change its name, however, to ACS Industries, Inc., so that Article FIRST of its Articles of Incorporation shall thereafter provide: "The name of this corporation shall be ACS Industries, Inc."
2. The outstanding shares of ACS shall be cancelled.
3. The Articles of Incorporation and Code of Regulations of Couplers shall be the Articles of Incorporation and Code of Regulations of the Surviving Corporation subsequent to the merger, subject to the amendment herein provided.
4. The outstanding shares of Couplers prior to the merger shall be the outstanding shares of the Surviving Corporation subsequent to the merger.
5. The directors and officers of Couplers prior to the merger shall be the directors and officers of the Surviving Corporation subsequent to the merger.

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6. The parties hereto agree that within twenty (20) days after approval hereof, there shall be delivered to each of the shareholders of Couplers a copy of this Agreement.

7. This Agreement shall be effective as of the close of business on the day the certificate of merger is filed with the Secretary of State for the State of Ohio.

IN WITNESS WHEREOF, each of the undersigned corporate parties approve the within agreement by setting their corporate hands hereto as of the date first above written.

ACS INDUSTRIES, INC.

By Joseph R. Zeno  
Joseph R. Zeno, President

By Frank H. Harvey, Jr.  
Frank H. Harvey, Jr., Secretary

AMERICAN COUPLER SYSTEMS, INC.

By Joseph R. Zeno  
Joseph R. Zeno, President

By Frank H. Harvey, Jr.  
Frank H. Harvey, Jr., Secretary

H0092-1505



# The State of Ohio

**Bob Taft**  
Secretary of State

576432

## 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: MER AMD CHN

of:

ACS INDUSTRIES, INC. FORMERLY AMERICAN COUPLER SYSTEMS, INC.

Recorded on Roll H002 at Frame 1506 of  
the Records of Incorporation and Miscellaneous Filings.

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

Witness my hand and the seal of the Secretary of State at  
Columbus, Ohio, this 19TH day of FEB,  
A.D. 1991.



*Bob Taft*  
**Bob Taft**  
Secretary of State

SEC 6002 (Rev. 12/90)

10092-1506

1700-2  
APPROVED  
BY  
DATE

CERTIFICATE OF MERGER

The undersigned, President and Secretary of both American Coupler Systems, Inc. and ACS Industries, Inc., Ohio corporations, hereby certify that the Merger Agreement attached hereto and made a part hereof was duly adopted and approved by the directors of American Coupler Systems, Inc. on January 31, 1991 and by the director and sole shareholder of ACS Industries, Inc. on February 11, 1991, pursuant to Section 1701.80 of the Ohio Revised Code providing for a merger of a subsidiary into a parent corporation.

IN WITNESS WHEREOF, the said corporations set their corporate hands this 5 day of February, 1991.

AMERICAN COUPLER SYSTEMS, INC.

By Joseph R. Zeno  
Joseph R. Zeno, President

By Frank H. Harvey, Jr.  
Frank H. Harvey, Jr., Secretary

ACS INDUSTRIES, INC.

By Joseph R. Zeno  
Joseph R. Zeno, President

By Frank H. Harvey, Jr.  
Frank H. Harvey, Jr., Secretary