

10-30-2003



WEMMH-1594 (4/03)

Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002)

RECC

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

Tab settings -> -> ->

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

1. Name of conveying party(ies):

Cummins Engine Company, Inc.

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

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

3. Nature of conveyance:

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

Execution Date: April 3, 2001

2. Name and address of receiving party(ies)

Name: Cummins Inc.

Internal Address: 601 6

Street Address: 500 Jackson Street

City: Columbus State: Indiana Zip: 47201

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State of Indiana, 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)

2,048,808

Additional number(s) attached Yes No

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

Name: James M. Durlacher, Esq.

Internal Address: Woodard, Emhardt, Moriarty, McNett & Henry LLP

Street Address: Bank One Center/Tower, 111 Monument Circle, Suite 3700

City: Indianapolis State: Indiana Zip: 46204

6. Total number of applications and registrations involved:

1

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

- Enclosed, Authorized to be charged to deposit account

8. Deposit account number:

23-3030

(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.

James M. Durlacher, Reg. No. 28,840 Name of Person Signing

James M. Durlacher Signature

October 1, 2003 Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to: Director of the U.S. Patent and Trademark Office, Mail Stop Assignment Recordation Services Washington, D.C. 20231 VIA FACSIMILE (703) 306-5995

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TRADEMARK REEL: 002854 FRAME: 0139



**ARTICLES OF AMENDMENT OF THE ARTICLES OF INCORPORATION**

State Form 38333 (R8 / 12-96)  
Approved by State Board of Accounts 1995

194062-CP

SUZANNE GIBROY  
SECRETARY OF STATE  
CORPORATIONS DIVISION  
302 W. Washington St., Rm. E018  
Indianapolis, IN 46204  
Telephone: (317) 232-6576

**INSTRUCTIONS:** Use 8 1/2" x 11" white paper for inserts.  
Present original and two copies to address in upper right hand corner of this  
Please TYPE or PRINT.

INDIANA  
200 APR - Indiana Code 23-1-38-1 et seq.  
Filing Fee: \$30.00

APPROVED AND FILED  
IND. SECRETARY OF STATE

ARTICLES OF AMENDMENT OF THE ARTICLES OF INCORPORATION OF:	
Name of Corporation Cummins Engine Company, Inc.	Date of incorporation February 3, 1919
The undersigned officers of the above referenced Corporation ( <i>hereinafter referred to as the "Corporation"</i> ) existing pursuant to the provisions of: ( <i>indicate appropriate act</i> ) <input checked="" type="checkbox"/> Indiana Business Corporation Law <input type="checkbox"/> Indiana Professional Corporation Act of 1983 as amended ( <i>hereinafter referred to as the "Act"</i> ), desiring to give notice of corporate action effectuating amendment of certain provisions of its Articles of Incorporation, certify the following facts:	
<b>ARTICLE I Amendment(s)</b>	
The exact text of Article(s) _____ of the Articles	
(NOTE: If amending the name of corporation, write Article "I" in space above and write "The name of the Corporation is _____," below.)	
"The name of the Corporation is Cummins Inc."	
<b>ARTICLE II</b>	
Date of each amendment's adoption: April 3, 2001	

(Continued on the reverse side)

**ARTICLE III Manner of Adoption and Vote**

Mark applicable section: NOTE - Only in limited situations does Indiana law permit an Amendment without shareholder approval. Because a name change requires shareholder approval, Section 2 must be marked and either A or B completed.

SECTION 1 This amendment was adopted by the Board of Directors or incorporators and shareholder action was not required.

SECTION 2 The shareholders of the Corporation entitled to vote in respect to the amendment adopted the proposed amendment. The amendment was adopted by: (*Shareholder approval may be by either A or B.*)

A. Vote of such shareholders during a meeting called by the Board of Directors. The result of such vote is as follows:

41,331,548	Shares entitled to vote.
36,280,172	Number of shares represented at the meeting.
34,636,356	Shares voted in favor.
1,643,816	Shares voted against.

B. Unanimous written consent executed on \_\_\_\_\_, 19\_\_\_\_ and signed by all shareholders entitled to vote.

**ARTICLE IV Compliance with Legal Requirements**

The manner of the adoption of the Articles of Amendment and the vote by which they were adopted constitute full legal compliance with the provisions of the Act, the Articles of Incorporation, and the By-Laws of the Corporation.

I hereby verify, subject to the penalties of perjury, that the statements contained herein are true, this 3rd day of April, ~~19~~ 2001.

Signature of current officer or chairman of the board

Printed name of officer or chairman of the board

Theodore M. Solso

Signature's title

Chairman and Chief Executive Officer

