

10/2/03

10-31-2003

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



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

*Resubm*

102588974

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

<p>1. Name of conveying party(ies): Elf Lubricants North America, Inc.</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"/> Corporate-State <u>Delaware</u>  <input type="checkbox"/> Other _____</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies)</p> <p>Name: <u>Total Fina Elf Lubricants USA, Inc.</u>  Internal Address: _____  Address: _____  Street Address: <u>5 North Stiles Street</u>  City: <u>Linden</u> State: <u>New Jersey</u> ZIP: <u>07036</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"/> Corporate-State <u>Delaware</u>  <input type="checkbox"/> Other _____</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached <input type="checkbox"/> Yes <input type="checkbox"/> No  (Designations must be a separate document from assignment)  Additional name(s) &amp; address(es) attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input type="checkbox"/> Assignment                              <input type="checkbox"/> Merger  <input type="checkbox"/> Security Agreement                      <input checked="" type="checkbox"/> Change of Name  <input type="checkbox"/> Other _____</p> <p>Execution Date: <u>April 1, 2002</u></p>	

<p>4. Application number(s) or registration number(s):</p> <p>A. Trademark Application No.(s)</p>	<p>B. Trademark Registration No.(s) <u>1,767,134</u></p> <p>Additional number(s) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <u>Jay K. Meadway, Esquire</u>  Internal Address: <u>Ballard Spahr Andrews &amp; Ingersoll, LLP</u>  Street Address: <u>1735 Market Street, 51<sup>st</sup> Floor</u>  City: <u>Philadelphia</u> State: <u>PA</u> Zip: <u>19103-7599</u></p>	<p>6. Total number of applications and registrations involved:..... <span style="border: 1px solid black; padding: 2px;">1</span></p> <p>7. Total Fee (37 CFR 3.41)                      \$ <u>40.00</u>  <b>NOTE: FEE PREVIOUSLY DEDUCTED</b></p> <p><input type="checkbox"/> Enclosed  <input type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: <u>02-0755</u>  (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.*

Jay K. Meadway                      *Jay Meadway*                      October 2, 2003  
Name of Person Signing                      Signature                      Date

Total number of pages including cover sheet, attachments, and document: 8

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

04-24-2003



102428852

To the Honorable Commissioner of Patents and Trademarks, original documents or copy thereof.

1. Name of conveying party(ies): Elf Lubricants North America, Inc. 4.22.03
3. Nature of conveyance: Change of Name
Additional name(s) of conveying party(ies) attached? No

2. Name and address of receiving party(ies): Total Fina Elf Lubricants USA, Inc.
5 North Stiles Street
Linden New Jersey 07036
Corporate-State Delaware

4. Application number(s) or registration number(s):
A. Trademark Application No.(s)
B. Trademark Registration No.(s) 1,767,134

6. Total number of applications and registrations involved: 1

5. Name and address of party to whom correspondence concerning document should be mailed:
Jay K. Meadway, Esquire
Ballard Spahr Andrews & Ingersoll, LLP
1735 Market Street, 51st Floor
Philadelphia PA 19103-7599

7. Total Fee (37 CFR 3.41) \$ 40.00
Authorized to be charged to deposit account
8. Deposit account number: 02-0755

04/24/2003 01 FC:8521

40.00 CH

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.
Jay K. Meadway Signature
4/17/03 Date
Total number of pages including cover sheet, attachments, and document: 6

OFFICE OF PUBLIC RECORDS
2003 APR 22 PM 5:59
FINANCE SECTION

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

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 09:00 AM 04/30/2002  
020275945 - 2248500

**STATE of DELAWARE**  
**CERTIFICATE of AMENDMENT of**  
**CERTIFICATE of INCORPORATION**

- First: That at a meeting of the Board of Directors of Elf Lubricants North America, Inc. on February 1, 2002  
resolutions were duly adopted setting forth a proposed amendment of the Certificate of Incorporation of said corporation, declaring said amendment to be advisable and calling a meeting of the stockholders of said corporation for consideration thereof. The resolution setting forth the proposed amendment is as follows:  
Resolved, that the Certificate of Incorporation of this corporation be amended by changing the Article thereof numbered "One" so that, as amended, said Article shall be and read as follows:  
" The name of the Corporation is Total Fina Elf Lubricants USA, Inc.

- Second: That thereafter, pursuant to resolution of its Board of Directors, a special meeting of the stockholders of said corporation was duly called and held, upon notice in accordance with Section 222 of the General Corporation Law of the State of Delaware at which meeting the necessary number of shares as required by statute were voted in favor of the amendment.
- Third: That said amendment was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.
- Fourth: That the capital of said corporation shall not be reduced under or by reason of said amendment.

BY: Robert C Devanny  
(Authorized Officer)

NAME: ROBERT C DEVANNY  
(Type or Print) VICE-PRESIDENT & CORPORATE SECRETARY

**ELF LUBRICANTS NORTH AMERICA, INC.**

**RESOLUTION ADOPTED BY UNANIMOUS  
WRITTEN CONSENT OF THE BOARD OF DIRECTORS**

The undersigned, being all of the directors of Elf Lubricants North America, Inc., a Delaware corporation, acting pursuant to Section 141 of the Delaware General Corporation Law and Section 2.8 of the corporation's by-laws, hereby waive notice of, and take, the following actions:

**RESOLVED**, that effective February 1, 2002 the registered office of the Corporation be and it hereby is changed to Corporation Service Company and the authorization of the present registered agent of the Company be and the same is hereby withdrawn and CORPORATION SERVICE COMPANY shall be and is hereby constituted and appointed the registered agent of the Company at the address of its registered office.

**RESOLVED**, that effective April 1<sup>st</sup>, 2002 the Board of Directors of the Corporation recommends to the sole stockholder of the Corporation that the Articles of Incorporation of the Corporation be amended as set forth below:

Article One shall be amended to read:

"Name

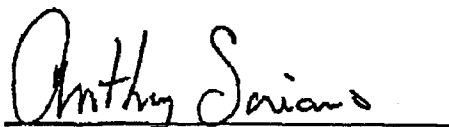
The name of the Corporation is Total Fina Elf Lubricants USA, Inc."

**WHEREUNTO**, we have signed our names and directed that the Secretary of the Corporation file this consent, or counterparts thereof, in the minutes of the Corporation.

  
Christian Cabrol

  
Otto Takken

  
Bernard Anselmi

  
Anthony Sciriano

  
Eric Tersen

  
Helene Berard

**CONSENT OF STOCKHOLDER  
OF  
ELF LUBRICANTS NORTH AMERICA, INC.**

The undersigned, being the sole stockholder of Elf Lubricants North America, Inc., a Delaware corporation, acting pursuant to Section 228 of the Delaware Corporation Law and Section 2.8 of the corporation's by-laws, waives notice of, and consents to, the following action:

**RESOLVED**, that effective April 1<sup>st</sup> 2002 the Articles of Incorporation of the Corporation be amended as set forth below:

Article One shall be amended to read:

"Name

The name of the Corporation is Total Fina Elf Lubricants USA, Inc."

WHEREUNTO, Elf Aquitaine, Inc. has executed this consent and directed the Secretary of the Corporation to insert this consent in the minutes of the Corporation.

**ELF AQUITAINE, INC.**

By: 

**Otto Takken  
Chief Operating Officer and  
Executive Vice President**

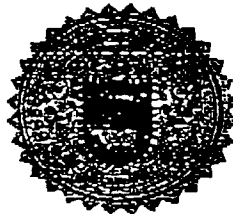
# Delaware

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 AMENDMENT OF "ELF LUBRICANTS NORTH AMERICA, INC.", CHANGING ITS NAME FROM "ELF LUBRICANTS NORTH AMERICA, INC." TO "TOTAL FINA ELF LUBRICANTS USA, INC.", FILED IN THIS OFFICE ON THE THIRTIETH DAY OF APRIL, A.D. 2002, AT 9 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



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

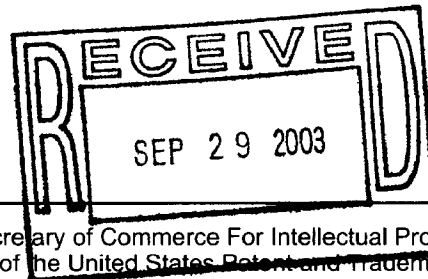
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020275945

AUTHENTICATION: 1751918

DATE: 04-30-02

TRADEMARK  
REEL: 002854 FRAME: 0916



SEPTEMBER 16, 2003

Deputy Under Secretary of Commerce For Intellectual Property and  
Deputy Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

PTAS

BALLARD SPAHR ANDREWS ET.AL.  
JAY K. MEADWAY  
1735 MARKET STREET, 51ST STREET  
PHILADELPHIA, PA 19103-7599



\*102428852A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 102428852

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

1. THE COVER SHEET SUBMITTED FOR RECORDING IS NOT ACCEPTABLE. AN EXECUTION DATE MUST BE INDICATED FOR EACH CONVEYING PARTY.

SEDLEY PYNE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS