

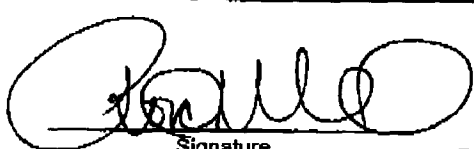


BRYAN CAVE  
**OFFICIAL**

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JUN 08 2004

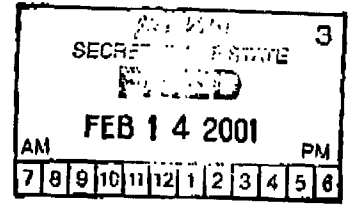
Form FTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings $\Rightarrow \Rightarrow \Rightarrow$ $\nabla$		07-01-2004  102781237		U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office  $\nabla$ $\nabla$ $\nabla$ Original documents or copy thereof.	
To the Honorable Commissioner of P:					
1. Name of conveying party(ies): Trivergent Communications, Inc.  <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 <input type="checkbox"/> Other _____  Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			2. Name and address of receiving party(ies) Name: NuVox Communications, Inc. Internal Address: _____ Address: _____ Street Address: 16090 Swingley Ridge Rd. City: Chesterfield State: MO Zip: 63017  <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 Missouri <input type="checkbox"/> Other _____ <small>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)</small> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
3. Nature of conveyance: <input type="checkbox"/> Assignment <input checked="" type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: 02/13/2001					
4. Application number(s) or registration number(s): A. Trademark Application No.(s) _____ _____ _____ Additional number(s) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			B. Trademark Registration No.(s) 2,530,943; 2,587,264; and 2,589,746 _____ _____		
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Roxana Wizorek Internal Address: Bryan Cave LLP  07/01/2004 6TOM11 00000033 024467 2530943 01 FC:85P1 40.00 BA 02 FC:85P2 50.00 BA  Street Address: 211 North Broadway, Suite 3600 _____ City: St. Louis State: MO Zip: 63102-2750			6. Total number of applications and registrations involved: <span style="border: 1px solid black; padding: 2px;">3</span>		
			7. Total fee (37 CFR 3.41).....\$ 90.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account		
			8. Deposit account number: BRYAN CAVE LLP 02-4467  		
<b>DO NOT USE THIS SPACE</b>					
9. Signature.  Roxana Wizorek Name of Person Signing			 Signature June 8, 2004 Date		
			Total number of pages including cover sheet, attachments, and document: <span style="border: 1px solid black; padding: 2px;">5</span>		

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

SHOULD BE TRUE AND CORRECT COPY  
SHOULD BE REPRODUCED AND COMPARED WITH THE  
ORIGINAL FILE IN THIS OFFICE

FEB 14 2001

State of South Carolina  
Secretary of State



*[Signature]*  
SECRETARY OF STATE OF SOUTH CAROLINA ARTICLES OF MERGER OR SHARE EXCHANGE

Pursuant to Section 33-11-105 of the 1976 South Carolina Code of Laws, as amended, the undersigned as the surviving corporation in a merger or the acquiring corporation in a share exchange, as the case may be, hereby submits the following information:

1. The name of the surviving corporation is TriVergent Communications, Inc.
2. Attached hereto as Exhibit A and made a part hereof is a copy of the Plan of Merger.
3. The Plan of Merger was adopted by written consent of the respective sole shareholder of Gabriel Communications of Kentucky, Inc., TriVergent Communications West, Inc., TriVergent Communications South, Inc. and TriVergent Communications, Inc.:

<u>Name of Corporation</u>	<u>No. of Shares Issued and Outstanding</u>	<u>No. of Undisputed Shares in Favor of Merger</u>
Gabriel Communications of Kentucky, Inc.	1,000	1,000
TriVergent Communications West, Inc.	100	100
TriVergent Communications South, Inc.	100	100
TriVergent Communications, Inc.	1,000	1,000

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\_\_\_\_\_  
Name of Corporation

\*NOTE: Pursuant to Section 33-11-105 (a)(3)(ii) of the 1976 South Carolina Code of Laws, as amended, the corporation can alternatively state the total number of undisputed shares cast for the amendment by each voting group together with a statement that the number cast for the amendment by each voting group was sufficient for approval by that voting group.

4. Unless a delayed date is specified, the effective date of this document shall be the date it is accepted for filing by the Secretary of State ( See Section 33-1-230(b) of the 1976 South Carolina Code of Laws): \_\_\_\_\_

Date February 13, 2001

NuVox Communications, Inc.  
- fka TriVergent Communications, Inc.  
Name of the Surviving or Acquiring Corporation

John P. Danneen  
Signature and Office

John P. Danneen, Executive Vice President  
Type or Print Name and Office

**FILING INSTRUCTIONS**

- Two copies of this form, the original and either a duplicate original or a conformed copy, must be filed.
- Filing fee (payable to the Secretary of State at the time of filing of this document)
 

Filing Fee .....	\$ 10.00
Filing Tax .....	\$100.00
Total .....	\$110.00
- TWO COPIES OF THE PLAN OF MERGER OR SHARE EXCHANGE MUST BE FILED WITH THIS FORM AS AN ATTACHMENT.

Return to: Secretary of State  
PO Box 11350  
Columbia SC 29211

Exhibit A

**PLAN OF MERGER**  
merging  
**GABRIEL COMMUNICATIONS OF KENTUCKY, INC.,**  
**TRIVERGENT COMMUNICATIONS WEST, INC. and**  
**TRIVERGENT COMMUNICATIONS SOUTH, INC.**  
with and into  
**TRIVERGENT COMMUNICATIONS, INC.**

PLAN OF MERGER adopted by Gabriel Communications of Kentucky, Inc., TriVergent Communications West, Inc. and TriVergent Communications South, Inc., business corporations organized under the laws of the State of Delaware, by unanimous written consent of their respective Board of Directors and sole stockholder on February 13, 2001, and adopted by TriVergent Communications, Inc., a business corporation for profit organized under the laws of the State of South Carolina, by unanimous written consent of its Board of Directors and sole shareholder on February 13, 2001. The names of the corporations planning to merge are Gabriel Communications of Kentucky, Inc., TriVergent Communications West, Inc. and TriVergent Communications South, Inc., business corporations organized under the laws of the State of Delaware, and TriVergent Communications, Inc., a business corporation organized under the laws of the State of South Carolina. The name of the surviving corporation into which Gabriel Communications of Kentucky, Inc., TriVergent Communications West, Inc. and TriVergent Communications South, Inc. plans to merge is TriVergent Communications, Inc.

1. Gabriel Communications of Kentucky, Inc., TriVergent Communications West, Inc. and TriVergent Communications South, Inc. and TriVergent Communications, Inc., shall, pursuant to the provisions of the laws of the State of Delaware and the provisions of the South Carolina Business Corporation Act of 1988, be merged with and into a single corporation, to wit, TriVergent Communications, Inc., which shall be the surviving corporation at the effective time and date of the merger and which is sometimes hereinafter referred to as the "surviving corporation", and which shall continue to exist as said surviving corporation under the name NuVox Communications, Inc. pursuant to the provisions of the South Carolina Business Corporation Act of 1988. The separate existences of Gabriel Communications of Kentucky, Inc., TriVergent Communications West, Inc. and TriVergent Communications South, Inc., which are sometimes hereinafter referred to as the "non-surviving corporations", shall cease at the effective time and date of the merger in accordance with the laws of the jurisdiction of its organization.

2. The articles of incorporation of TriVergent Communications, Inc., is to be amended and changed by reason of the merger herein certified by striking out Article 1 thereof, relating to the name of said surviving corporation, and by substituting in lieu thereof the following article:

"1. The name of the corporation is NuVox Communications, Inc."

and said Articles of Incorporation as herein amended and changed shall continue in full force and effect until further amended and changed in the manner prescribed by the provisions of the South Carolina Business Corporation Act of 1988.

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3. The present bylaws of the surviving corporation will be the bylaws of said surviving corporation and will continue in full force and effect until changed, altered, or amended as therein provided and in the manner prescribed by the provisions of the South Carolina Business Corporation Act of 1988.

4. The directors and officers in office of the surviving corporation at the effective time and date of the merger shall be the members of the first Board of Directors and the first officers of the surviving corporation, all of whom shall hold their respective offices and directorships until the election and qualification of their successors or until their tenure is otherwise terminated in accordance with the bylaws of the surviving corporation.

5. TriVergent Communications, Inc. will not issue any of its shares for the issued shares of Gabriel Communications of Kentucky, Inc., TriVergent Communications West, Inc. and TriVergent Communications South, Inc. inasmuch as the sole shareholders of Gabriel Communications of Kentucky, Inc., TriVergent Communications West, Inc. and TriVergent Communications South, Inc. are sister corporations to TriVergent Communications, Inc. All of the issued shares of Gabriel Communications of Kentucky, Inc., TriVergent Communications West, Inc. and TriVergent Communications South, Inc. shall, upon the effective date of the merger, be surrendered and cancelled. The issued shares of the surviving corporation shall not be converted or exchanged in any manner, but each said share which is issued at the effective time and date of the merger shall continue to represent one issued share of the surviving corporation.

6. The merger of the non-surviving corporations with and into the surviving corporation shall be authorized in the manner prescribed by the laws of the jurisdiction of organization of the non-surviving corporations, and the Plan of Merger herein made and approved shall be submitted to the shareholders of the surviving corporation for their approval or rejection in the manner prescribed by the provisions of the South Carolina Business Corporation Act of 1988.

7. In the event that the merger of the non-surviving corporations with and into the surviving corporation shall have been duly authorized in compliance with the laws of the jurisdiction of organization of the non-surviving corporations, and in the event that the Plan of Merger shall have been approved by the shareholders entitled to vote of the surviving corporation in the manner prescribed by the provisions of the South Carolina Business Corporation Act of 1988, the non-surviving corporations and the surviving corporation hereby stipulate that they will cause to be executed and filed and/or recorded any document or documents prescribed by the laws of the State of Delaware and of the State of South Carolina, and that they will cause to be performed all necessary acts therein and elsewhere to effectuate the merger.

8. The Board of Directors and the proper officers of the non-surviving corporations and of the surviving corporation, respectively, are hereby authorized, empowered, and directed to do any and all acts and things, and to make, execute, deliver, file, and/or record any and all instruments, papers, and documents which shall be or become necessary, proper, or convenient to carry out or put into effect any of the provisions of this Plan of Merger or of the merger herein provided for.

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