

RECORDATION] TRADEM 07-23-2004



102797405

RTMENT OF COMMERCE Trademark Office

To the Honorable Commissioner of Patents and Trade	emarks: Please record the attached original documents or copy thereof.
Name of conveying party(ies): Flash Technology Corporation of America	Name and address of receiving party(ies): Name: ATC Tower Services, Inc.
☐ Individual(s) ☐ Association ☐ General Partnership ☐ Limited Partnership ☐ Corporation of Tennessee ☐ Other	Address: 116 Huntington Avenue City: Boston State/Country: MA ZIP: 02116
Date of execution of attached Document: December 26, 2001 Additional name(s) of conveying party(ies) attached? ☐ Yes ☑ No 3. Nature of conveyance:	☐ Individual(s) citizenship
 ☐ Assignment ☐ Merger ☐ Security Agreement ☐ Change of Name ☐ 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 Number(s): 2,665,658
Name and address of party to whom correspondence concerning document should be mailed:	C. Additional numbers attached? Yes No. 6. Total number of applications and registrations involved:
Name: John H. Weber	7. Total fee (37 CFR 3.41) \$40.00
Internal Address: BAKER & HOSTETLER LLP Washington Square, Suite 1100 1050 Connecticut Avenue, N.W. Washington, D.C. 20036-5304	⊠ Enclosed
	Authorized to be charged to deposit account
	8. Deposit account number: 50-2036
	Atty. Dkt. No.: 87326.00045
	(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 feregoing in ornation is true and correct and any attached copy is a true copy of the original document.	
John H. Weber Name of Person Signing	July 20, 2004 grature Date
22/2004 LINUELLER 00000110 2665658	
18521 40.00 9P	tal number of pages comprising cover sheet:

ARTICLES OF MERGER

OF

FLASH TECHNOLOGY CORPORATION OF AMERICA

5. 223 23 /2/12/57

AND

MODERN TECHNICAL SERVICE, INC.

C. CF STATE

AND

ATC TOV''R SERVICES, INC.

To the Secretary of State State of Tennessee

Pursuant to the provisions of the Tennessee Business Corporation Act, the domestic business corporations and the toreign business corporation herein named do hereby adopt the following articles of merger:

- 1. The names of the constituent corporations are Flash Technology Corporation of America ("Flash"), which is a business corporation organized under the laws of the State of Tennessee, Modern Technical Service, Inc. ("Modern"), which is a business corporation organized under the laws of the State of Tennessee, and ATC Tower Services, Inc. ("Tower"), which is a business corporation organized under the laws of the State of New Mexico.
- 2. Annexed hereto and made a part hereof is the Plan of Merger for merging Flash and Modern with and into Tower as approved by resolution adopted by the Board of Directors of Flash on December 26, 2001, by resolution adopted by the Board of Directors of Modern on December 26, 2001 and by resolution adopted by the Board of Directors of Tower on December 26, 2001.
- 3. All of the shareholders of Flash entitled to vote on the aforesaid Plan of Merger consented to taking such action without a meeting, and the holders of the number of shares of the corporation that would be necessary to authorize or take such action at a meeting of the shareholders of the corporation duly approved and adopted the aforesaid Plan of Merger without a meeting of said shareholders on written consent signed by them on December 26, 2001 in accordance with the provisions of Section 48-17-104 of the Tennessee Business Corporation Act.
- 4. All of the shareholders of Modern entitled to vote on the aforesaid Plan of Merger consented to taking such action without a meeting, and the holders of the number of shares of the corporation that would be necessary to authorize or take such action at a meeting of the shareholders of the corporation duly approved and adopted the aforesaid Plan of Merger without a meeting of said shareholders on written consent signed by them on December 26, 2001 in accordance with the provisions of Section 48-17-104 of the Tennessee Business Corporation Act.

T:\Corp\juc\ARSI15\trancrperflushservices doc

TRADEMARK
REEL: 003011 FRAME: 0761

- 5. The merger of Flash and Modern with and into 1 ower is permitted by the laws of the jurisdiction of organization of Tower and has been authorized in compliance with said laws.
- 6. Tower will continue its existence as the surviving corporation under its present name pursuant to the provisions of the laws of the jurisdiction of its organization.
- 7. The effective time and date of the merger herein provided for in the State of Tennessee shall be 11:59 pm on December 31, 2001.

Executed on December 46, 2001

T-Wassissed & DCII Stramerserflashservices.doc

FLASH TECHNOLOGY CORPORATIO: OF AMERICA

By:

Name: Ustin D. Benincasa Title: Vice President

MODERN TECHNICAL SERVICE, INC.

Rv.

Name: Justin D. Benincasa Title: Vice President

ATC TOWER SERVICES, INC.

Rv.

Name: Justin D. Benincasa Title: lice President PLAN OF MERGER approved on December 26, 2001 by Site Advantage, Inc. ("Site"), a business corporation organization under the laws of the State of New York and by resolution adopted by its Board of Directors on said date, and approved on December 26, 2001 by Flash Technology Corporation of America ("Flash"), a business corporation organized under the laws of the State of Tennessee, and by resolution adopted by its Board of Directors on said date, and approved on December 26, 2001 by Modern Technical Service, Inc. ("Modern"), a business corporation organized under the laws of the State of Tennessee, and by resolution adopted by its Board of Directors on said date, and approved on December 26, 2001 by American Tower Services. Inc. ("Tower"), a business corporation organized under the laws of the State of New Mexico, and by resolution adopted by its Board of Directors on said date.

- 1. Site, Flash, Modern and Tower shall, pursuant to the provisions of the Business Corporation Law of the State of New York, of the provisions of the Tennessee Business Corporation Act and of the provisions of the Business Corporation Act of the State of New Mexico, be merged with an into a single corporation, to wit Tower, which shall be the surviving corporation upon the effective date of the merger and which is sometimes hereafter referred to as the "surviving corporation", and which shall continue to exist as said surviving corporation under its present name pursuant to the provisions of the Business Corporation. Act of the State of New Mexico. The separate existence of Site, Flash and Modern, which are sometimes referred to as the "terminating corporations", shall cease upon the effective date of the merger in accordance with the provisions of the Tennessee Business Corporation Act.
- 2. The Articles of Incorporation of the surviving corporation agon the effective date of the merger in the State of New Mexico shall be the Articles of Incorporation of said surviving corporation and shall continue in full force and effect until amended and changed in the manner prescribed by the provisions of the Business Corporation Act of the State of New Mexico.
- 3. The bylaws of the surviving corporation will be the bylaws of sair' 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 Business Corporation Act of the State of New Mexico.
- 4. The directors and officers in office of the surviving corporation upon the effective date of the merger in the State of New Mexico shall be the members of the first Board of Directors and the first officers of the surviving corporation, all of whom shall have their directorships and offices until the election and qualification of their respective successors or until their tenure is otherwise terminated in accordance with the bylaws of the surviving corporation.
- 5. The issued shares of the terminating corporations shall not be converted in any manner, but each said share which is issued as of the effective date of the merger shall be surrendered and extinguished. The issued shares of the surviving corporation shall not be converted in any manner, but each said share which is issued as of the effective date of the merger shall continue to represent one issued share of the surviving corporation.

T \Corp\jue\ARSI15\mmergerplanflash doc

TRADEMARK
REEL: 003011 FRAME: 0763

体系设备 的复数的

- 6. The Plan of Merger herein made and approved shalt be submitted to the shareholders of the terminating corporations for their approval or rejection in the manner prescribed by the provisions of the New York Business Corporation Law and of the Tennessee Business Corporation Act and to the shareholders of the surviving corporation for their approval or rejection in the manner prescribed by the provisions of the Business Corporation Act of the State of New Mexico.
- 7. In the event that the merger of the terminating corporations with and into the surviving corporation shall have been fully authorized in accordance with the provisions of the New York Business Co: ration Law, in accordance with the Tennessee Business Corporation Act, and in accordance with the Business Corporation Act of the State of New Mexico, the terminating 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 New York, of the State of Tennessee at 1 c 1 the State of New Mexico, and that they will cause to be performed all necessary acts therein a d elsewhere to effectuate the merger.
- 8. The Board of Directors and the proper officers of the terminating 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 hereir provided for.
- 9. The effective date of the merger herein provided for shall b. December 31, 2001 at 11:59 pm.

T:\Corp\jue\ARS115\nmmergerplanflash doc

Secretary of State Division of Business Services 312 Eighth Avenue North 6th Floor, William R. Snodgrass Tower Nashville, Tennessee 37243

8161 HIGHWAY 100 ŃASĤVIŁLE, TN 37221

ISSUANCE DATE: 07/14/2004 REQUEST NUMBER: 04196128A

CHARTER/QUALIFICATION DATE: 11/21/1989 STATUS: MERGED CORPORATE EXPIRATION DATE: PERPETUAL CONTROL NUMBER: 0222391 JURISDICTION: TENNESSEE

REQUESTED BY: 8161 HIGHWAY 100 ÑÁSŘVILLE, TN 37221

I, RILEY C DARNELL, SECRETARY OF STATE OF THE STATE OF TENNESSEE DO HEREBY CERTIFY THAT "FLASH TECHNOLOGY CORPORATION OF AMERICA"

WAS INCORPORATED OR QUALIFIED TO DO BUSINESS IN THE STATE OF TENNESSEE ON THE ABOVE DATE, AND THAT THE ATTACHED DOCUMENT(S) WAS/WERE FILED IN OFFICE ON THE DATE(S) AS BELOW INDICATED:

MERGER

REFERENCE NUMBER 4378-0167

DATE FILED 12/28/2001 FILING TYPE

FILING ACTION NAM DUR STK PRN OFC AGT INC MAL FYC

FOR: REQUEST FOR COPIES

HIGHWAY 100

ÑÄSÄVILLE, TN 37221-0000

ON DATE: 07/14/04

FEES

RECEIVED:

\$100.00

\$0.00

TOTAL PAYMENT RECEIVED:

\$100.00

RECEIPT NUMBER: 00003553297 ACCOUNT NUMBER: 00101230

FROM:

SS-4458

RILEY C. DARNELL SECRETARY OF STATE

TRADEMARK REEL: 003011 FRAME: 0765

RECORDED: 07/20/2004