

10-01-2004



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TRADEMARK

Form PTO-1594
(Rev. 10/02)
OMB No. 0651-0027 (exp. 6/30/2005)

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):

RAG Coal Development Corporation

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

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

3. Nature of conveyance:

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

Execution Date: 07/30/2004

2. Name and address of receiving party(ies)

Name: Foundation Coal Development Corporation

Internal

Address: 999 Corporate Boulevard, Linthicum Heights, MD 21090

Street Address: 999 Corporate Boulevard

City: Linthicum Heights State: MD Zip: 21090

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State a Delaware Corporation
- 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

9-27-04

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 2,446,161 and

2,290,026

Additional number(s) attached Yes No

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

Name: Foundation Coal Corporation

Internal Address: 999 Corporate Boulevard, #300

Linthicum Heights, MD 21090

Street Address: 999 Corporate Boulevard, #300

City: Linthicum Heights State: MD Zip: 21090

6. Total number of applications and registrations involved:

2

7. Total fee (37 CFR 3.41) \$ 80.00

- Enclosed (Check No. 5269)
- Authorized to be charged to deposit account

8. Deposit account number:

DO NOT USE THIS SPACE

9. Signature.

Bruce E. Dahl, Reg. No. 33,670

Name of Person Signing

00000103 2446161

Bruce E. Dahl
Signature

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

09-24-2004

09-27 PM 1:53
DBYRNE
Total: \$15.00
CHECK REFUND

10/01/2004
01 FC:0521
02 FC:0522

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

TRADEMARK

REEL: 003054 FRAME: 0384

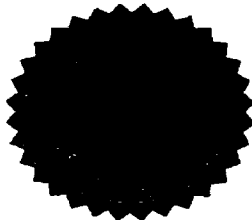
Delaware

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 "RAG COAL DEVELOPMENT CORPORATION", CHANGING ITS NAME FROM "RAG COAL DEVELOPMENT CORPORATION" TO "FOUNDATION COAL DEVELOPMENT CORPORATION", FILED IN THIS OFFICE ON THE THIRTIETH DAY OF JULY, A.D. 2004, AT 10:56 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

AUTHENTICATION: 3266841

DATE: 07-30-04

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CERTIFICATE OF AMENDMENT
OF
CERTIFICATE OF INCORPORATION
OF
RAG COAL DEVELOPMENT CORPORATION

It is hereby certified that:

1. The name of the corporation (hereinafter called the "Corporation") is RAG Coal Development Corporation.


2. The Certificate of Incorporation of the Corporation hereby is amended by changing the first Article thereof so that, as amended, said Article shall read as follows:

"1. The name of the corporation is:
Foundation Coal Development Corporation"

3. The Amendment of the Certificate of Incorporation herein certified has been duly adopted in accordance with the provisions of Section 228 and 242 of the General Corporation Law of the State of Delaware.

4. The effective date of the Amendment herein certified shall be the date of filing.

Signed and attested to on July 30, 2004.



Greg A. Walker
Senior Vice President

ATTEST:


Sharon J. Fetherhuff
Assistant Secretary

State of Delaware
Secretary of State
Division of Corporations
Delivered 11:21 AM 07/30/2004
FILED 10:56 AM 07/30/2004
SRV 040559088 - 2296499 FILE