

10-08-2004



102855239

OfficeOMB No. 0651-0011 (exp. 4/94)

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Atty. Docket No.: 296-040331

To the Assistant Commissioner for Trademarks:
Please record the attached original documents or copy thereof.

10-7-04

1. Name of conveying party(ies):

CULVER INDUSTRIES, INC.

- Individual(s) Association
- General Partnership Limited Partnership
- Corporation-State - Pennsylvania
- 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: December 30, 2003

2. Name and address of receiving party(ies)

Name: MODERNE GLASS COMPANY, INC. (OLD)

Internal Address: _____

Street Address: Hopewell Industrial Park

1000 Industrial Boulevard

City: Aliquippa State: PA ZIP: 15001-4871

- Individual(s) citizenship _____
- Association _____
- General Partnership _____
- Limited Partnership _____
- Corporation-State Pennsylvania
- 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 patent number(s):

A. Trademark Application No. (s)

Additional numbers attached? Yes No

B. Trademark Registration No. (s)

1,640,408

1,743,212

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

Name: William H. Logsdon

Internal Address: Webb Ziesenheim Logsdon

Orkin & Hanson, P.C.

Street Address: 700 Koppers Building

436 Seventh Avenue

City: Pittsburgh State: PA ZIP: 15219-1818

6. Total number of applications and registrations involved: 2

7. Total fee (37 CFR 3.41).....\$ 65.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

(Attach triplicate 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.

William H. Logsdon, Reg. No. 22,132

Name of Person Signing

Signature

October 1, 2004

Date

Total number of pages including cover sheet, attachments and document 7



OfficeOMB No. 0651-0011 (exp. 4/94)

102703797

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Atty. Docket No.: 296-040331

MAR 19 2004

To the Assistant Commissioner for Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): CULVER INDUSTRIES, INC. [] Individual(s) [] Association [] General Partnership [] Limited Partnership [] Corporation-State [X] Other Pennsylvania

2. Name and address of receiving party(ies) Name: MODERNE GLASS COMPANY, INC. (OLD) Internal Address: Street Address: Hopewell Industrial Park 1000 Industrial Boulevard City: Aliquippa State: PA ZIP: 15001-4871 [] Individual(s) citizenship [] Association [] General Partnership [] Limited Partnership [X] Corporation-State Pennsylvania [] Other

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

If assignee is not domiciled in the United States, a domestic representative designation is attached: [] Yes [X] No

(Designations must be a separate document from assignment)

Additional name(s) & address(es) attached? [] Yes [X] No

3. Nature of conveyance: [] Assignment [X] Merger [] Security Agreement [] Change of Name [] Other

Execution Date: December 30, 2003

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

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B. Trademark Registration No. (s)

1,640,408 1,743,212

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6. Total number of applications and registrations involved: 2

7. Total fee (37 CFR 3.41).....\$ 65.00 [X] Enclosed [] Authorized to be charged to deposit account

8. Deposit account number: (Attach triplicate 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.

William H. Logsdon, Reg. No. 22,132 Name of Person Signing

Signature

March 17, 2004 Date

Total number of pages including cover sheet, attachments and document 7

40,000 DP 25,000 DP 03/24/2004 MBE RACHE 000003611640408 01 FC:0521 02 FC:0522

**PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU**

Articles/Certificate of Merger

(15 Pa.C.S.)

Entity Number
235921

- Domestic Business Corporation (§ 1926)
 Domestic Nonprofit Corporation (§ 5926)
 Limited Partnership (§ 8547)

Name Pepper Hamilton LLP
~~200 One Keystone Plaza~~
Address North Front and Market Streets
P.O. Box 1181
City Harrisburg, PA State 17108-1181 Zip Code

Document will be returned to the name and address you enter to the left.



Fee: \$108 plus \$28 additional for each Party in additional to two

Filed in the Department of State on DEC 30 2003

Peche C. Cortes

Secretary of the Commonwealth

JD

In compliance with the requirements of the applicable provisions (relating to articles of merger or consolidation), the undersigned, desiring to effect a merger, hereby state that:

1. The name of the corporation surviving the merger is:
Moderne Glass Company, Inc.

2. Check and complete one of the following:

The surviving corporation is a domestic business corporation and the (a) address of its current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a) Number and Street	City	State	Zip	County
131 Glenfiled Drive	Beaver	PA	15009	Beaver

(b) Name of Commercial Registered Office Provider _____ County _____
c/o _____

_____ The surviving corporation/limited partnership is a qualified foreign business/nonprofit corporation /limited partnership incorporated/formed under the laws of _____ and the (a) address of its current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a) Number and Street	City	State	Zip	County
-----------------------	------	-------	-----	--------

(b) Name of Commercial Registered Office Provider _____ County _____

_____ The surviving corporation/limited partnership is a nonqualified foreign business/nonprofit corporation/limited partnership incorporated/formed under the laws of _____ and the address of its principal office under the laws of such domiciliary jurisdiction is:

Number and Street	City	State	Zip
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PT: #1

3. The name and the address of the registered office in this Commonwealth or name of its commercial registered office provider and the county of venue of each other domestic business corporation and qualified foreign business/nonprofit corporation/limited partnership which is a party to the plan of merger are as follows:

Name	Registered Office Address	Commercial Registered Office Provider	County
Culver Industries, Inc.	1000 Industrial Blvd. Aliquippa, PA 15001-4871	n/a	Beaver

4. Check, and if appropriate complete, one of the following:

The plan of merger shall be effective upon filing these Articles/Certificate of Merger in the Department of State.

The plan of merger shall be effective on: December 31, 2003 at 11:59:00 pm EST
 Date Hour

5. The manner in which the plan of merger was adopted by each domestic corporation/limited partnership is as follows:

Name	Manner of Adoption
Adopted by action of the shareholders of each corporation pursuant to 15 Pa.C.S. § 1905	

~~6. Strike out this paragraph if no foreign corporation/limited partnership is a party to the merger.~~

~~The plan was authorized, adopted or approved, as the case may be, by the foreign business/nonprofit corporation/limited partnership (or each of the foreign business/nonprofit corporations/limited partnerships) party to the plan in accordance with the laws of the jurisdiction in which it is incorporated/organized.~~

7. Check, and if appropriate complete, one of the following:

The plan of merger is set forth in full in Exhibit A attached hereto and made a part hereof.

Pursuant to 15 Pa.C.S. § 1901/§ 8547(b) (relating to omission of certain provisions from filed plans) the provisions, if any, of the plan of merger that amend or constitute the operative provisions of the Articles of Incorporation/Certificate of Limited Partnership of the surviving corporation/limited partnership as in effect subsequent to the effective date of the plan are set forth in full in Exhibit A attached hereto and made a part hereof. The full text of the plan of merger is on file at the principal place of business of the surviving corporation/limited partnership, the address of which is.

Number and street	City	State	Zip	County

IN TESTIMONY WHEREOF, the undersigned corporation/limited partnership has caused these Articles of Merger to be signed by a duly authorized officer thereof this 29 day of December, 2003

MODERNE GLASS COMPANY, INC.

Name of Corporation/Limited Partnership



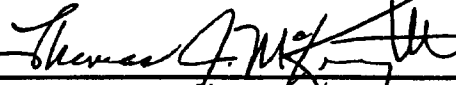
Signature

Thomas J. McKnight, President

Name/Title

CULVER INDUSTRIES, INC.

Name of Corporation/Limited Partnership



Signature

Thomas J. McKnight, President

Name/Title

EXHIBIT A

PLAN OF MERGER

of

CULVER INDUSTRIES, INC.
(a Pennsylvania Corporation)

With and Into

MODERNE GLASS COMPANY, INC.
(a Pennsylvania Corporation)

ARTICLE I

GENERAL

Section 1.1. CULVER INDUSTRIES, INC., a Pennsylvania corporation ("Culver"), and MODERNE GLASS COMPANY, INC., a Pennsylvania corporation ("Moderne"), shall effect a merger subject to the terms and conditions of this Plan of Merger (the "Plan of Merger") dated as of December 24 2003, by and between the foregoing parties.

Section 1.2. At the Effective Time, as defined in Section 1.5 hereof, Culver shall be merged into Moderne (herein referred to as the "Merger"); the existence of Moderne shall continue. Moderne is hereinafter sometimes referred to as the "Surviving Entity".

Section 1.3. At the Effective Time, the Articles of Incorporation of and Bylaws for Moderne, without amendment, shall, in accordance with §1929 of the Pennsylvania Business Corporation Law of 1988, as amended (the "BCL") be the governing document of the Surviving Entity.

Section 1.4. At the Effective Time, the separate existence of Culver shall cease and Culver shall be merged into the Surviving Entity with the effect specified by §1929 of the BCL.

Section 1.5. Subject to the terms and conditions herein provided, Articles of Merger, incorporating this Plan of Merger shall be executed to comply with the applicable requirements of §1929 of the BCL and filed with the Commonwealth of Pennsylvania Secretary of State, pursuant to §1927 of the BCL. This Merger shall become effective (the "Effective Time") at the latter of the time at which such filing is effected or 11:59 p.m. E.S.T. on December 31, 2003.

ARTICLE II

CAPITAL OF THE SURVIVING ENTITY

Section 2.1. None of the shares of Common Stock of Moderne issued or outstanding immediately prior to the Effective Time shall be canceled or converted as a result of the Merger, but all such shares of Common Stock of Moderne shall remain issued or outstanding shares of Common Stock of the surviving entity.

Section 2.2 All of the shares of Common Stock of Culver issued or outstanding immediately prior to the effective time shall be cancelled and converted into one (1) share of Common Stock of Moderne.

ARTICLE III

MISCELLANEOUS

Section 3.1. The representations and warranties (whether or not so captioned) of each party in any document or certificate delivered to the other shall be true and correct in all respects at the Effective Time with the same force and effect as though such representations and warranties had been made at the Effective Time.

Section 3.2. This Plan of Merger has been approved by the Board of Directors and sole shareholder of Moderne and by the Board of Directors and sole shareholder of Culver, in accordance with §1924(a) of the BCL.

Section 3.3. No change, modification, extension, termination, notice of termination, discharge, abandonment or waiver of this Plan of Merger or any of the provisions hereof, nor any representations, promise or condition relating to this Plan of Merger, shall be binding upon the parties hereto unless made in writing and signed by the parties hereto.

IN WITNESS WHEREOF, each party hereto has caused this Plan of Merger to be executed on its behalf by its duly authorized representative, all as of this 29th day of December, 2003.

CULVER INDUSTRIES, INC.

By: Thomas J. McKeefee

Title: President

MODERNE GLASS COMPANY, INC.

By: Thomas J. McKeefee

Title: President

BUREAU USE ONLY:

Revenue Labor & Industry

Other _____

File Code _____ Filed Date _____

Part I. Complete for each filing:

Current name of entity or registrant (*survivor or new entity if merger or consolidation*): **Moderne Glass Company, Inc.**

Entity number, if known: Incorporation/qualification date in PA:

State of Inc: Federal EIN: Specified effective date, if any:

Part II. Check proper box:

Amendment (complete Section A) Merger, Consolidation or Division (complete Section B,C or D)

Consolidation (complete Section C) Division (complete Section D)

Conversion (complete Section A & E) Correction (complete Section A)

Termination (complete Section H) Revival (complete Section G)

Dissolution before Commencement of Business (complete Section F)

Section A – Check box(es) which pertain to changes:

Name: _____

Registered Office: Number & street/RD number & box number City State Zip County

Purpose: _____

Stock (aggregate number of share authorized): _____ Effective date: _____

Term of Existence: _____ Other: _____

Section B – Merger Complete Section A if any changes to surviving entity:

Merging Entities are: (*attach sheet for additional merging entities*)

Name: Moderne Glass Company, Inc.	Entity #, if known: 235921
Effective date: 12/31/2003 11:59:00 p.m.	Inc./qual. date in PA. 6/24/68
	State of Formation. PA

Name: Culver Industries, Inc.	Entity #, if known: 2707860
Effective date: 12/31/2003 11:59:00 p.m.	Inc./qual. date in PA. 7/31/1996
	State of Formation. PA