

05-27-2005

TRADEMARKS ONLY



To the As:  
Please record the

103011314

Trademarks:  
at or copy thereof.

5-23-05

1. NAME OF PARTY(IES) CONVEYING AN INTEREST:

The Smith Truss Company.

ENTITY:

Individual(s)  Association

General Partnership  Limited Partnership

Corporation State: Kansas

Other: \_\_\_\_\_

3. INTEREST CONVEYED: Entire

Assignment

Security

Name Change > *combined*

Merger

Other \_\_\_\_\_

2. NAME OF PARTY(IES) RECEIVING AN INTEREST:

Name: Lohmann Rauscher, Inc.

Street Address: Forbes Field Building 281-G

City: Topeka State: Kansas

Zip: 66619

ENTITY:

Individual(s)  Association

General Partnership  Limited Partnership

Corporation State: Kansas

Other: \_\_\_\_\_

If not domiciled in the United States, a domestic representative designation is attached: \_\_\_\_\_ Yes \_\_\_\_\_ No

(The attached document must not be an assignment)

\* Date of execution of attached document is: September 11, 2001.

4. Application no's or registration no's. Additional sheet attached? \_\_\_ Yes X No

A. Trademark Application

B. Trademark Registration

No. \_\_\_\_\_; filed \_\_\_\_\_

No. 2,251,384; filed 4/13/98

No. \_\_\_\_\_; filed \_\_\_\_\_

No. \_\_\_\_\_; filed \_\_\_\_\_

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

John C. McMahon, Esq.  
PO Box 30069  
Kansas City, Missouri 64112

7. Amount of fee enclosed: \$ 40.00

(Check No. \_\_\_\_\_ enclosed)

8. Please charge any additional fees to deposit account number (Attach duplicate copy of this form if paying by deposit account):

50-1253

6. Number of applications and registrations involved: 1

DO NOT USE THIS SPACE

10. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This document executed on: May 19, 2005

29,415

John C. McMahon

Signature

Reg. No.

Name of Person Signing

05/26/2005 JJALLAH2 00000007 2251384

01 FC:8521

40.00 OP



05-23-2005

TRADEMARK  
REEL: 003165 FRAME: 0370

U.S. Patent & Trademark Office/TM Mail Rcpt Dt. #64

CERTIFICATE OF MERGER

OF

LOHMANN & RAUSCHER, INC.,

WITH AND INTO

THE SMITH TRUSS COMPANY

Which Shall Thereafter Be Named

LOHMANN & RAUSCHER, INC.

CERTIFICATE OF MERGER, dated as of the ~~27~~<sup>21</sup> day of September, 2001, by and between Lohmann & Rauscher, Inc., a Delaware corporation ("L&R") and The Smith Truss Company, a Kansas corporation ("Smith").

**FIRST:** That the Agreement and Plan of Merger, dated September 27, 2001 (the "Agreement and Plan of Merger"), among L&R and Smith has been approved, adopted, certified, executed and acknowledged by L&R and Smith in accordance with K.S.A. 17-6702;

**SECOND:** L&R shall, pursuant to the provisions of the Kansas General Corporation Code, be merged with and into Smith, which shall be the surviving corporation upon the effective date of the merger, and shall continue to exist as said surviving corporation pursuant to the provisions of the Kansas General Corporation Code. The separate existence of L&R shall cease upon said effective date in accordance with the provisions of said Kansas General Corporation Code.

**THIRD:** The Articles of Incorporation of Smith as in effect immediately prior to the effective date of the merger shall be and remain the Articles of Incorporation of the surviving corporation except that such Articles of Incorporation shall, without further act or deed, be deemed to be and shall be amended in their entirety, as of the effective date of the merger, to read in their entirety as set forth in Exhibit A attached hereto, until amended as provided by Law.

**FOURTH:** That the executed Agreement of Merger is on file at the principal place of business of the surviving corporation located at: 6700 S.W. Topeka Blvd, Bldg. 281G, Topeka, Kansas 66619.

**FIFTH:** That a copy of the Agreement of Merger will be furnished by the surviving corporation, on request and without cost, to any stockholder of L&R and Smith.

**SIXTH:** That the authorized capital stock of L&R is 1,000 shares.

**SEVENTH:** That this Certificate of Merger and the merger provided for in the Agreement of Merger shall become effective at 12:01 a.m. on October 1, 2001.

AMENDED ARTICLES OF INCORPORATION  
OF  
LOHMANN & RAUSCHER, INC.

ARTICLE FIRST

The name of this corporation is Lohmann & Rauscher, Inc.

ARTICLE SECOND

The location of its principal place of business in this State is 6700 S.W. Topeka Blvd, Bldg. 281G, Topeka, Shawnee County, Kansas 66619-0007.

ARTICLE THIRD

The location of the registered office in Kansas is 6700 S.W. Topeka Blvd, Bldg. 281G, Topeka, Shawnee County, Kansas 66619-0007, and the resident agent in charge thereof at such address is Michael R. Hall.

ARTICLE FOURTH

This Corporation is organized FOR profit and the nature of its business is:

- A. to enter into, make, perform and carry out contracts of every kind for any lawful purpose without limit as to amount, with any person, firm, association or corporation, municipality, county, parish, state, territory, government or other municipal or governmental subdivision;
- B. to engage in any other lawful act or activity for which corporations may be organized under the Kansas General Corporation Code;
- C. to have and to exercise all powers conferred by the laws of Kansas upon corporations formed under the laws pursuant to and under which this corporation is formed, as such laws are now in effect or may at any time hereafter be amended.

ARTICLE FIFTH

This corporation is authorized to issue two classes of stock, as follows:

- A. 100,000 shares of Class A common stock with full and equal voting rights and each share shall have no par value.
- B. 10,000 shares of Class B common stock, whose rights and privileges as to voting shall be fixed by resolution of a majority of the stockholders at the time of the issuance of the first such share of Class B common stock. Each share of Class B common stock shall have all other rights and privileges accorded or granted to Class A common stock and shall have no par value.

ARTICLE SIXTH

The private property of the stockholders of this Corporation shall not be subject to the payment of corporate debts to any extent whatsoever.

ARTICLE SEVENTH

The number of directors of the Corporation shall be fixed by, or in the manner provided in, the Bylaws.

ARTICLE EIGHTH

The term for which this Corporation is to exist is perpetual.

IN TESTIMONY WHEREOF, I have hereunto set my name this \_\_\_ day of September, 2001.

\_\_\_\_\_  
Michael R. Hall

STATE OF KANSAS    )  
                                  )ss.  
COUNTY OF SHAWNEE )

\_\_\_\_\_ personally appeared before me, a Notary Public, in and for said County and said State, the above named, who is personally known to me to be the same person who executed the foregoing instrument in writing, and duly acknowledged the execution of the same

IN WITNESS WHEREOF, I have hereunto set my hand and seal this \_\_\_ day of September, 2001.

\_\_\_\_\_  
Notary Public

My Appointment Expires:  
\_\_\_\_\_

*KFH*

