



08-17-2006



Form PTO-1594 (Rev. 06/04)  
OMB No. 0651-0027 (exp. 6/30/2005)

U.S. DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

RECOR  
TK

103292843

8-14-06

To the Director of U.S. Patent and Trademark Office: Please record the attached documents on the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):  
Cherokee Sanford Group, LLC  
executed July 3, 2004

Individual(s)                       Association  
 General Partnership               Limited Partnership  
 Corporation-State (Delaware)  
 Other: Acquisition Agreement

Additional name(s) of conveying party(ies) attached? NO

2. Name and address of receiving party(ies)  
Additional names, addresses, or citizenship attached?  Yes  No

Name: General Shale Brick, Inc.  
Internal \_\_\_\_\_  
Address: \_\_\_\_\_

Street Address: 3211 North Roan Street

City: Johnson City State: TN Zip: 37602

Association                      Citizenship \_\_\_\_\_  
 General Partnership              Citizenship \_\_\_\_\_  
 Limited Partnership              Citizenship \_\_\_\_\_  
 Corporation                      Citizenship US  
 Other \_\_\_\_\_              Citizenship \_\_\_\_\_

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)

3. Nature of conveyance:

Assignment                       Merger  
 Security Agreement               Change of Name  
 Other: Acquisition Agreement

4. Application number(s) or registration number(s) and identification or description of the Trademark.  
A. Trademark Application No.(s) \_\_\_\_\_  
B. Trademark Registration No.(s) 2,426,131

Additional number(s) attached  Yes  No

C. Identification of Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):  
Mark: PROVIDENCE (brick, in International Class 19)

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

Name: Reed Smith LLP, Attn. Juan C. Marquez  
Internal Address: \_\_\_\_\_  
Street Address: 3110 Fairview Park Drive, Suite 1400  
City: Falls Church State: VA Zip: 22402  
Phone Number: 703-641-4289  
Fax Number: 703-204.1352  
Email Address: jmarquez@reedsmith.com

6. Total number of applications and registrations involved: one

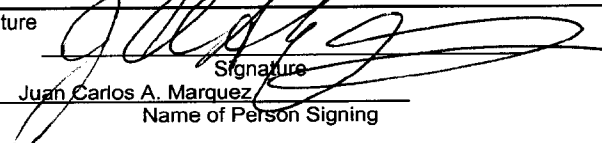
7. Total fee (37 CFR 2.6(b)(6) & 3.41).....\$ \_\_\_\_\_

Authorized to be charged by credit card  
 Authorized to be charged to deposit account  
 \$40.00 Enclosed

8. Payment Information

a. Credit Card    Last 4 Numbers \_\_\_\_\_  
Expiration Date \_\_\_\_\_

b. Deposit Account Number \_\_\_\_\_  
Authorized User Name \_\_\_\_\_

9. Signature   
Signature  
Juan Carlos A. Marquez  
Name of Person Signing

August 14, 2006  
Date

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

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to: Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. 1450, Alexandria, VA 22313-1450

08/16/2006 DBYRNE 00000113 2426131

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# Delaware

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*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 MERGER, WHICH MERGES:

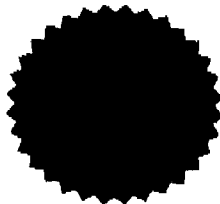
"GENERAL SHALE PRODUCTS LLC", A DELAWARE LIMITED LIABILITY COMPANY,

WITH AND INTO "GENERAL SHALE BRICK, INC." UNDER THE NAME OF "GENERAL SHALE BRICK, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTIETH DAY OF JULY, A.D. 2004, AT 1:52 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

373567 8100M

040560205

*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 3267901

DATE: 07-30-04

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 02:02 PM 07/30/2004  
FILED 01:52 PM 07/30/2004

**CERTIFICATE OF MERGER SRV 040560205 - 3735567 FILE**

OF

**GENERAL SHALE BRICK, INC.**

AND

**GENERAL SHALE PRODUCTS LLC**

Pursuant to Title 8, Section 264(e) of the Delaware General Corporation Law and Title 6, Section 18-209 of the Delaware Limited Liability Company Act, the undersigned corporation executed the following Certificate of Merger:

**FIRST.** The constituent entities participating in the merger herein certified are:

(i) General Shale Brick, Inc., a corporation incorporated under the laws of the State of Delaware; and

(ii) General Shale Products LLC, a limited liability company organized under the laws of the State of Delaware.

**SECOND.** The Merger Agreement and Plan of Merger has been approved, adopted, certified, executed, and acknowledged by the surviving corporation and the merging limited liability company.

**THIRD.** The name of the surviving corporation in the merger herein certified is General Shale Brick, Inc., a corporation incorporated under the laws of the State of Delaware.

**FOURTH.** The Certificate of Incorporation of General Shale Brick, Inc., a Delaware corporation, as now in force and effect, shall continue to be the Certificate of Incorporation of said surviving corporation.

**FIFTH.** The Merger Agreement and Plan of Merger is on file at the principal place of business of the aforesaid surviving corporation, the address of which is as follows:

3211 North Roan Street  
Johnson City, TN 37602

**SIXTH.** A copy of the aforesaid Merger Agreement and Plan of Merger will be furnished by the aforesaid surviving corporation, on request, and without cost, to any stockholder of any constituent corporation or any member of any constituent limited liability company.

TRADEMARK

REEL: 003378 FRAME: 0498

IN WITNESS WHEREOF, said corporation has caused this certificate to be signed by an authorized officer this 3<sup>rd</sup> day of July, 2004.

**GENERAL SHALE BRICK, INC,**  
a Delaware corporation

By: 

**Richard L. Green**  
Chairman, President and Chief Executive Officer

- 2 - STM\_certificate of merger of general shale products and general shale brick2

TOTAL P.04