

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	MERGER
EFFECTIVE DATE:	03/31/1997

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Powerscreen USA Inc.		03/31/1997	CORPORATION: DELAWARE

RECEIVING PARTY DATA

Name:	Powerscreen USA LLC
Street Address:	11001 Electron Drive
City:	Louisville
State/Country:	KENTUCKY
Postal Code:	40299
Entity Type:	LIMITED LIABILITY COMPANY: KENTUCKY

PROPERTY NUMBERS Total: 1

Property Type	Number	Word Mark
Registration Number:	0240943	SIMPLICITY

CORRESPONDENCE DATA

Fax Number: (973)836-0306
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
 Phone: 212-949-9022
 Email: fterranella@lawabel.com
 Correspondent Name: Lawrence E. Abelman
 Address Line 1: 666 Third Avenue
 Address Line 2: 10th Floor
 Address Line 4: New York, NEW YORK 10017

ATTORNEY DOCKET NUMBER:	8000793
NAME OF SUBMITTER:	Frank Terranella
Signature:	/ft/

CH \$40.00 0240943

Date:

07/29/2008

Total Attachments: 6

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State of Delaware
Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AGREEMENT OF MERGER, WHICH MERGES:

"POWERSCREEN USA INC.", A DELAWARE CORPORATION,
WITH AND INTO "POWERSCREEN USA LLC" UNDER THE NAME OF "POWERSCREEN USA LLC", A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF KENTUCKY, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-SEVENTH DAY OF MARCH, A.D. 1997, AT 4:30 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF AGREEMENT OF MERGER IS THE THIRTY-FIRST DAY OF MARCH, A.D. 1997.

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Edward J. Freel

EDWARD J. FREEL, SECRETARY OF STATE

DATE: 09-05-00

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TEREX CORP.

203 227 1647 P.03/11

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 04:30 PM 03/27/1997
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PLAN AND AGREEMENT OF MERGER
OF
POWERSCREEN USA INC.
INTO
POWERSCREEN USA LLC

Pursuant to the provisions of Section 264 of the Delaware General Corporation Law, KRS § 275.345, KRS § 275.350, KRS § 275.355, and KRS § 275.360, Powerscreen USA Inc., a Delaware corporation ("PUSA"), and Powerscreen USA LLC, a Kentucky limited liability company and the sole shareholder of PUSA ("Acquisition Company"), do hereby adopt the following Plan and Agreement of Merger:

ARTICLE I

The Plan of Merger whereby PUSA will be merged with and into Acquisition Company (the "Plan") is attached hereto as Exhibit A and is incorporated herein by reference to the extent not inconsistent herewith.

Acquisition Company shall be the "acquiring company" and "surviving business entity" and PUSA shall be the "distributor or transferor corporation" for federal, state and local tax purposes.

Pursuant to Sections 264 and 103 of the Delaware General Corporation Law and KRS § 275.060, the merger of PUSA into the Acquisition Company pursuant to the Plan shall be effective as of 11:59 p.m. on March 31, 1997.

ARTICLE II

The Plan was duly authorized and approved by each of the constituent business entities in accordance with Section 264 of the Delaware General Corporation Law and KRS 275.350.

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As to PUSA, the Plan was duly adopted by a resolution adopted by a unanimous written consent in lieu of a special meeting of its Board of Directors on March 25, 1997, and approved by the sole shareholder of PUSA by a written consent in lieu of a special meeting of the shareholders on March 27, 1997. All issued and outstanding shares of PUSA's common stock voted in favor of the Plan, there being 100 issued and outstanding common shares.

As to Acquisition Company, the Plan of Merger was duly adopted by a resolution adopted by a unanimous written consent by the members of Acquisition Company on March 27, 1997.

ARTICLE III

Acquisition Company as the surviving business entity, hereby agrees that it may be served with process in Delaware in any proceeding for enforcement of any obligation of PUSA, as well as for the enforcement of any obligation of Acquisition Company arising from the merger, including any suit or other proceeding to enforce the right of any shareholders as determined in appraisal proceedings pursuant to Section 262 of the Delaware General Corporation Laws, and Acquisition Company hereby irrevocably appoints the Delaware Secretary of State as its agent to accept service of process in any suit or other proceedings and a copy of such process shall be mailed by the Delaware Secretary of State to Acquisition Company at the following address

Powerscreen USA LLC
11001 Electron Drive
Louisville, Kentucky 40299

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P.03

FAX NO. 5025811087

BROWN TODD HEYBURN

MAR-27-97 THU 14:06

3-12-2000 15:45

TEREX CORP.

203 227 1647 P.05/11

IN WITNESS WHEREOF, PUSA and Acquisition Company have caused this Plan and Agreement of Merger to be signed by their respective representative on March 27, 1997.

POWERSCREEN USA INC.

POWERSCREEN USA LLC

By: POWERSCREEN HOLDINGS USA INC.
as Managing Member

By *Phyllis Scalzo*
Phyllis Scalzo, Assistant Secretary

By *Phyllis Scalzo*
Phyllis Scalzo, Assistant Secretary

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Exhibit A

PLAN OF MERGER

This is a plan of merger (the "Plan") of Powerscreen USA Inc. ("PUSA"), a Delaware corporation, and Powerscreen USA LLC ("Acquisition Company"), a Kentucky limited liability company and the sole shareholder of PUSA.

RECITALS

A. The authorized capital stock of PUSA consists of 1,000 shares of common stock with a par value of \$1.00 per share ("Subsidiary Common Stock"), of which 100 shares are issued, outstanding, fully paid and nonassessable.

B. The Acquisition Company has 100 units ("Acquisition Company Units") which are issued, outstanding, fully paid and nonassessable.

PLAN

1. Names and Surviving Entity The names of the constituent business entities proposing to merge are Powerscreen USA Inc. and Powerscreen USA LLC. PUSA proposes to merge into Acquisition Company, which shall be the "Surviving Business Entity."

2. Terms and Conditions

(a) Effective Time. Pursuant to Sections 264 and 103 of the Delaware General Corporation Law and KRS § 275.1-060, the merger of PUSA into the Acquisition Company shall be effective as of 11:59 p.m. on March 31, 1997 (the "Effective Time").

(b) Name. The Surviving Business Entity's name shall be Powerscreen USA LLC.

(c) Limited Liability. At and after the Effective Time, the Surviving Business Entity shall continue to have limited liability.

(d) Conversion of Stock and Unit At the Effective Time:

(i) No cash shall be allocated to the shareholders of PUSA. The issued and outstanding shares of Subsidiary Common Stock, without any action on the part of the holders thereof, shall be canceled.

(ii) The issued and outstanding units of Acquisition Company shall, without any action on the part of the holder thereof, become and be converted into an equal number of units of the Surviving Business Entity, and all outstanding certificates representing those units shall represent, instead of units in Acquisition Company, the right to receive units in the Surviving Business Entity at the rate of unit in the Surviving Business Entity per unit in Acquisition Company.

(c) Articles of Organization. The Articles of Organization of Acquisition Company at the Effective Time shall be the Articles of Organization of the Surviving Business Entity from and after the Effective Time and no changes to the Articles of Organization of Acquisition Company are desired