

Form PTO-1594 (Rev. 01-09)  
OMB Collection 0651-0027 (exp. 02/28/2009)

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

### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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

#### 1. Name of conveying party(ies):

UTC Power, LLC

- Individual(s)
- General Partnership
- Corporation- State: \_\_\_\_\_
- Other LLC - Delaware
- Association
- Limited Partnership

Citizenship (see guidelines) \_\_\_\_\_

Additional names of conveying parties attached?  Yes  No

#### 3. Nature of conveyance /Execution Date(s) :

Execution Date(s) 01/01/2007

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

#### 2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached?  Yes  No

Name: UTC Fuel Cells, LLC

Internal

Address: MS-601-03

Street Address: 195 Governor's Hwy

City: South Windsor

State: CT

Country: USA Zip: 06074

- Association Citizenship \_\_\_\_\_
- General Partnership Citizenship \_\_\_\_\_
- Limited Partnership Citizenship \_\_\_\_\_
- Corporation Citizenship \_\_\_\_\_

Other LLC Citizenship Delaware

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)

#### 4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s)

78363785

B. Trademark Registration No.(s)

3056380

Additional sheet(s) attached?  Yes  No

#### C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

PURE CYCLE

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

Name: UTC Power Corporation

Internal Address: Robert H. Kelly, Esq.

Street Address: 195 Governor's Hwy

City: South Windsor

State: CT Zip: 06074

Phone Number: (860) 727-2160

Fax Number: (860) 727-2399

Email Address: robert.kelly@utcpower.com

#### 6. Total number of applications and registrations involved:

1

#### 7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 40

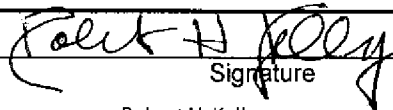
- Authorized to be charged to deposit account
- Enclosed

#### 8. Payment Information:

Deposit Account Number 50-1307

Authorized User Name Robert H. Kelly

#### 9. Signature:

  
Signature

25 February 2009

Date

Robert H. Kelly

Name of Person Signing

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

5

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

TRADEMARK

REEL: 003942 FRAME: 0135

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# 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 MERGER, WHICH MERGES:

"UTC POWER, LLC", A DELAWARE LIMITED LIABILITY COMPANY,  
WITH AND INTO "UTC FUEL CELLS, LLC" UNDER THE NAME OF "UTC FUEL CELLS, LLC", A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-FIRST DAY OF DECEMBER, A. D. 2006, AT 6:05 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE FIRST DAY OF JANUARY, A. D. 2007, AT 12:01 O'CLOCK A.M.

2888666 8100M  
061177640



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State  
AUTHENTICATION: 5312442

DATE: 12-27-06

TRADEMARK  
REEL: 003942 FRAME: 0136

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 06:56 PM 12/21/2006  
FILED 06:05 PM 12/21/2006  
SRV 061177640 - 2888666 FILE

## CERTIFICATE OF MERGER

OF

**UTC POWER, LLC, a Delaware limited liability company**

with and into

**UTC FUEL CELLS, LLC, a Delaware limited liability company**

The undersigned limited liability company organized and existing under and by virtue of the Limited Liability Company Act of the State of Delaware does hereby certify:

**FIRST:** That the names and states of formation or incorporation of each of the constituent business entities participating in the merger are as follows:

(i) **UTC Power, LLC**, a limited liability company organized and existing under the laws of the State of Delaware; and

(ii) **UTC Fuel Cells, LLC**, a limited liability company organized and existing under the laws of the State of Delaware.

**SECOND:** That an Agreement and Plan of Merger has been approved, adopted, certified, executed and acknowledged by written consent of each of the constituent business entities in accordance with the requirements of Section 18-209 of the Delaware Limited Liability Company Act.

**THIRD:** That the surviving domestic limited liability company is UTC Fuel Cells, LLC (the "Surviving Company").

**FOURTH:** That the Certificate of Formation of UTC Fuel Cells, LLC shall be the Certificate of Formation of the Surviving Company until further amended or changed in accordance with the terms thereof and pursuant to the provisions of the Delaware Limited Liability Company Act.

**FIFTH:** The merger shall become effective at 12:01 a.m. on January 1, 2007.

**SIXTH:** That the executed Agreement and Plan of Merger among the constituent business entities is on file at the office of the Surviving Company, the address of which is as follows:

UTC Fuel Cells, LLC  
195 Governor's Highway  
South Windsor, CT 06074

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**SEVENTH:** That a copy of the Agreement and Plan of Merger will be furnished by the Surviving Company, on request and without cost, to any member of either constituent business entity.

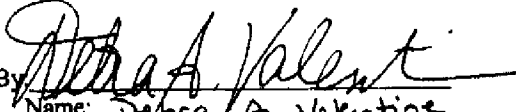
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IN WITNESS WHEREOF, the undersigned has caused this Certificate of Merger to be signed by its duly authorized officer.

Dated: December 21, 2006

UTC FUEL CELLS, LLC

United Technologies Corporation,  
Its: Sole Member

By   
Name: Debra A. Valentine  
Title: Secretary