

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	CHANGE OF NAME		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Ohio Hoist & Puller, Inc.		10/23/1995	CORPORATION: OHIO
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Deuer Developments, Inc.		
<b>Street Address:</b>	3434 Encrete Lane		
<b>City:</b>	Moraine		
<b>State/Country:</b>	OHIO		
<b>Postal Code:</b>	45439		
<b>Entity Type:</b>	CORPORATION: OHIO		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
Registration Number:	1596115	TUF-TUG	
<b>CORRESPONDENCE DATA</b>			
Fax Number:	(937)438-2124		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	9374386848		
Email:	firm@sslip.com		
Correspondent Name:	Bradley T. Ligibel		
Address Line 1:	7019 Corporate Way		
Address Line 4:	Dayton, OHIO 45459		
ATTORNEY DOCKET NUMBER:	OHI 014 TA		
NAME OF SUBMITTER:	Bradley T. Ligibel		
Signature:	/bradley t. ligibel/		
Date:	04/28/2010		

OP \$40.00 1596115

**900160708**

**TRADEMARK  
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**Total Attachments: 13**

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05340-1517



# The State of Ohio

**Bob Taft**

Secretary of State

737567

## Certificate

It is hereby certified that the Secretary of State of Ohio has custody of the Records of Incorporation and Miscellaneous

Filings; that said records show the filing and recording of: MER AGS CHN

of:

DEUER DEVELOPMENTS, INC. FORMERLY OHIO HOIST & PULLER, INC.

United States of America  
State of Ohio  
Office of the Secretary of State

Recorded on Roll 5340 at Frame 1518 of  
the Records of Incorporation and Miscellaneous Filings.

Witness my hand and the seal of the Secretary of State at

Columbus, Ohio, this 23RD day of OCT ,

A.D. 19 95 .



*Bob Taft*  
**Bob Taft**  
Secretary of State



Prescribed by  
Bob Taft, Secretary of State  
30 East Broad Street, 14th Floor  
Columbus, Ohio 43266-0418  
Form MER (July 1994)

05340-1518

737567  
Approved WJ  
Date 10/23/95  
Fee 50  
95100240401

**CERTIFICATE OF MERGER**

In accordance with the requirements of Ohio law, the undersigned corporations, limited liability companies and/or limited partnerships, desiring to effect a merger, set forth the following facts:

**I. SURVIVING ENTITY**

A. The name of the entity surviving the merger is:

Ohio Hoist & Puller, Inc.

(If the surviving entity is an Ohio limited partnership or qualified foreign limited partnership, its registration number must be provided)

B. Name change: As a result of this merger, the name of the surviving entity has been changed to the following: Deuer Developments, Inc.

only if the name of surviving entity is changing through the merger (complete)

C. The surviving entity is a: *(Please check the appropriate box and fill in the appropriate blanks)*

Domestic (Ohio) corporation

Foreign (Non-Ohio) corporation incorporated under the laws of the state/ country of \_\_\_\_\_ and licensed to transact business in the state of Ohio.

Foreign (Non-Ohio) corporation incorporated under the laws of the state/country of \_\_\_\_\_, and NOT licensed to transact business in the state of Ohio.

Domestic (Ohio) limited liability company

Foreign (Non-Ohio) limited liability company organized under the laws of the state/country of \_\_\_\_\_, and registered to do business in the state of Ohio.

Foreign (Non-Ohio) limited liability company organized under the laws of the state/country of \_\_\_\_\_, and NOT registered to do business in the state of Ohio.

Domestic (Ohio) limited partnership, registration number \_\_\_\_\_

NOT RECORDED  
SECRETARY OF STATE

RECEIVED  
NOV 08 1995  
BOB TAFT  
SECRETARY OF STATE

05340-1519

- [ ] Foreign (Non-Ohio) limited partnership organized under the laws of the state/country of \_\_\_\_\_, and registered to do business in the state of Ohio, under registration number \_\_\_\_\_
- [ ] Foreign (Non-Ohio) limited partnership organized under the laws of the state/country of \_\_\_\_\_, and NOT registered to do business in the state of Ohio.

## II. Merging Entities

The name, type of entity, and state/country of incorporation or organization, respectively, of each entity, other than the survivor, which is a party to the merger are as follows: *(If insufficient space to cover this item, please attach a separate sheet listing the merging entities; Ohio registered or foreign qualified limited partnerships must include registration number)*

Name	State/ Country of Organization	Type of Entity
Deuer Developments, Inc.	Ohio	Corporation
		732302
		(2000)

## III. Merger Agreement on File

The name and mailing address of the person or entity from whom/which eligible persons may obtain a copy of the agreement of merger upon written request:

Name	Address
Joseph F. Deuer, Jr.	3314 Encrete Lane (street and number) Dayton, Ohio 45439 (city, village or township) (state) (zip code)

## IV. Effective Date of Merger

This merger is to be effective:

On October 23, 1995 *(if a date is specified, the date must be a date on or after the date of filing; the effective date of the merger cannot be earlier than the date of filing; if no date is specified, the date of filing will be the effective date of the merger).*

05346-1520

**V. Merger Authorized**

The laws of the state or country under which each constituent entity exists, permits this merger.

This merger was adopted, approved and authorized by each of the constituent entities in compliance with the laws of the state under which it is organized, and the persons signing this certificate on behalf of each of the constituent entities are duly authorized to do so .

**VI. Statutory Agent**

The name and address of the surviving entity's statutory agent upon whom any process, notice or demand may be served is:

Name	Address
Joseph F. Deuer, Jr.	3314 Encrete Lane
	<small>(complete street address)</small>
	Dayton, Ohio 45439
	<small>(city, village or township) (zip code)</small>

*(This item MUST be completed if the surviving entity is a foreign entity which is not licensed, registered or otherwise authorized to conduct or transact business in the State of Ohio)*

**Acceptance of Agent**

The undersigned, named herein as the statutory agent for the above referenced surviving entity, hereby acknowledges and accepts the appointment of statutory agent for said entity.

  
Signature of Agent Joseph F. Deuer, Jr.

*(The acceptance of agent must be completed by domestic surviving entities if through this merger the statutory agent for the surviving entity has changed, or the named agent differs in any way from the name reflected on the Secretary of State's records.)*

**VII. Statement of Merger**

Upon filing, or upon such later date as specified herein, the merging entity/entities listed herein shall merge into the listed surviving entity.

**VIII. Amendments**

The articles of incorporation, articles of organization or certificate of limited partnership (strike the inapplicable terms) of the surviving domestic entity herein, are amended as set forth in the attached "Exhibit A"

*(Please note that any amendments to articles of incorporation, articles of organization or to a certificate of limited partnership MUST be attached if the surviving entity is a DOMESTIC corporation, limited liability company, or limited partnership.)*

05340-1521

**IX. Qualification or Licensure of Foreign Surviving Entity**

A. The listed surviving foreign corporation, limited liability company, or limited partnership desires to transact business in Ohio as a foreign corporation, foreign limited liability company, or foreign limited partnership, and hereby appoints the following as its statutory agent upon whom process, notice or demand against the entity may be served in the State of Ohio. The name and complete address of the statutory agent is:

\_\_\_\_\_  
(name) ( street and number)  
\_\_\_\_\_, Ohio \_\_\_\_\_  
(city, village or township) ( zip code)

The subject surviving foreign corporation, limited liability company or limited partnership irrevocably consents to service of process on the statutory agent listed above as long as the authority of the agent continues, and to service of process upon the Secretary of State if the agent cannot be found, if the corporation, limited liability company or limited partnership fails to designate another agent when required to do so, or if the corporation's, limited liability company's, or limited partnership's license or registration to do business in Ohio expires or is cancelled.

B. The qualifying entity also states as follows: (complete only if applicable)

1. **Foreign Qualifying Limited Liability Company**

(If the qualifying entity is a foreign limited liability company, the following information must be completed)

- a. The name of the limited liability company in its state of organization/registration is \_\_\_\_\_
- b. The name under which the limited liability company desires to transact business in Ohio is \_\_\_\_\_
- c. The limited liability company was organized or registered on \_\_\_\_\_ under the laws of the state/country of \_\_\_\_\_  
month      day      year
- d. The address to which interested persons may direct request for copies of the articles of organization, operating agreement, bylaws, or other charter documents of the company is: \_\_\_\_\_





05373-1523

The undersigned constituent entities have caused this certificate of merger to be signed by its duly authorized officers, partners and representatives on the date(s) stated below.

Deuer Developments, Inc.

Ohio Hoist & Puller, Inc.

exact name of entity

exact name of entity

By: Joseph D. Deuer Sr.  
Its: President

By: [Signature]  
Its: President

Date: October 19, 1995

Date: October 19, 1995

exact name of entity

exact name of entity

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

exact name of entity

exact name of entity

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

exact name of entity

exact name of entity

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

exact name of entity

exact name of entity

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

(Please note that the chairman of the board, the president, vice president, secretary or an assistant secretary must sign on behalf of each constituent corporation, and at least one general partner must sign on behalf of each constituent limited partnership; if insufficient space for signature, a separate sheet should be attached containing such signatures)



05043-1503

CONSENT FOR USE  
OF SIMILAR NAME

On the 29th day of September, 19 95,  
the BOARD OF DIRECTORS of Deuer Developments, Inc.  
(Name of corporation giving consent)  
(Charter or License No. 732302)

passed the following resolution:

RESOLVED, that Deuer Developments, Inc.  
(Name of corporation giving consent)  
gives it consent to Ohio Hoist & Puller, Inc.  
to use the name Deuer Developments, Inc.

Date September 29, 1995 Signed Louise N. Deuer  
Secretary or Assistant Secretary  
of consenting corporation

NOTE: This document MUST BE SIGNED by the Secretary or Assistant Secretary of the  
consenting corporation, pursuant to Section 1701.05(A) of the Ohio Revised Code.

Ohio Secretary of State Return Slip  
Merger/Consolidation

05340-1516

October 31, 1995

Peter J. Jerardi, Jr.  
Young Pryor Lynn & Jerardi  
The Old Post Office Bldg, Suite 350  
120 West Third Street  
Dayton, Ohio 45402



Re: Deuer Developments, Inc.

Document No. 95100240401-2

Dear Sir or Madam: note: unable to meet  
original deadline 10/26 - see below

"IN ORDER TO RETAIN YOUR INITIAL FILING DATE OF 10/23/95 THE CORRECTED DOCUMENTS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 5:00 pm 11/20/95. IF CORRECTED DOCUMENTS ARE NOT RECEIVED BY THE SPECIFIED DATE, OR THE DOCUMENTS STILL REQUIRE CORRECTIONS, THE INITIAL FILING DATE WILL NOT BE PRESERVED.

The enclosed documents are being returned unfiled for the following reason(s):

- \_\_\_\_\_ 1. Pursuant to Ohio Revised Code Section(s) 1701.81/1702.43, the certificate of Merger must set forth in respect of each constituent corporation the manner in which the agreement of merger or consolidation was adopted or approved by its directors/trustees and its shareholders/members or, if such adoption or approval is not required, the facts relied upon in establishing the absence of such a requirement.
- \_\_\_\_\_ 2. Pursuant to Ohio Revised Code Section 1701.81, the certificate must be signed by the chairman of the board, president or vice-president and by the secretary or assistant secretary of each constituent corporation.
- \_\_\_\_\_ 3. Pursuant to Ohio Revised Code Section 1701.80, an agreement of merger between a parent corporation and a subsidiary must state the designation and the number of the outstanding shares of each class of each subsidiary constituent corporation and the number of shares of each class owned by the surviving corporation.
- \_\_\_\_\_ 4. Pursuant to Ohio Revised Code Section 1701.80, one or more domestic subsidiaries may be merged into a domestic or foreign parent corporation only if the parent owns ninety percent or more of each class of the outstanding shares of the subsidiary.
- \_\_\_\_\_ 5. Pursuant to Ohio Revised Code Section 1701.79(B)(6), the surviving or new corporation must consent to be sued and served with process in this state, and the irrevocable appointment of the Secretary of State as its agent to accept service of process in any proceeding in the state of Ohio.
- \_\_\_\_\_ 6. Pursuant to Ohio Revised Code Section 1701.79(F), if the surviving or new corporation does not desire to be licensed to transact business in the state of Ohio, the agreement of merger shall be accompanied by affidavits, receipts, certificates or other evidence required by division (H) of Section 1701.86 of the Revised Code with respect to each Ohio corporation, and with respect to foreign constituent corporation licensed to transact business in Ohio, the affidavits, receipts, certificates or other evidence required by division (C) or (D) of Section 1703.17 of the Revised Code. (Copies of requisite forms enclosed.)
- \_\_\_\_\_ 7. The fee for filing a merger or consolidation is \$50.00.
- \_\_\_\_\_ 8. \_\_\_\_\_ was cancelled by the Ohio Department of Taxation on \_\_\_\_\_. Before filing the merger/consolidation, you must obtain a D-3 (Certificate of Reinstatement) from the Ohio Department of Taxation. The D-3 must be filed with the Secretary of State together with a \$10 filing fee prior to filing the merger/consolidation.
- \_\_\_\_\_ 9. \_\_\_\_\_ was cancelled on \_\_\_\_\_ for failure to file its statement of continued existence. Prior to filing the merger, the enclosed Application for Reinstatement must be submitted together with the \$10 filing fee.
- \_\_\_\_\_ 10. The enclosed Form 7 (Annual Statement of Proportion of Capital Stock) must be completed for the years \_\_\_\_\_ before the merger/consolidation may be filed.
- X 11. Other: "Ohio Hoist & Fuller, Inc.", an Ohio Corporation, is listed as survivor and in #II as a merging entity (disappeared) a

Ohio Secretary of State Return Slip  
Merger/Consolidation

05010-1527

October 5, 1995

Peter J. Jerardi, Jr.  
Young Pryor Lynn & Jerardi  
The Old Post Office Bldg, Suite 350  
120 West Third Street  
Dayton, Ohio 45402

OCT 5 1995

Re: Ohio Hoist + Puller, Inc. (Hoener Developments, Inc.)

Document No. 95100240401

Dear Sir or Madam:

10/2/95

IN ORDER TO RETAIN YOUR INITIAL FILING DATE OF 10/2/95, THE CORRECTED DOCUMENTS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 5:00 pm 10/26/95. IF CORRECTED DOCUMENTS ARE NOT RECEIVED BY THE SPECIFIED DATE, OR THE DOCUMENTS STILL REQUIRE CORRECTIONS, THE INITIAL FILING DATE WILL NOT BE PRESERVED.

The enclosed documents are being returned unfiled for the following reason(s):

- 1. Pursuant to Ohio Revised Code Section(s) 1701.81/1702.43, the certificate of Merger must set forth in respect of each constituent corporation the manner in which the agreement of merger or consolidation was adopted or approved by its directors/trustees and its shareholders/members or, if such adoption or approval is not required, the facts relied upon in establishing the absence of such a requirement.
- 2. Pursuant to Ohio Revised Code Section 1701.81, the certificate must be signed by the chairman of the board, president or vice-president and by the secretary or assistant secretary of each constituent corporation.
- 3. Pursuant to Ohio Revised Code Section 1701.80, an agreement of merger between a parent corporation and a subsidiary must state the designation and the number of the outstanding shares of each class of each subsidiary constituent corporation and the number of shares of each class owned by the surviving corporation.
- 4. Pursuant to Ohio Revised Code Section 1701.80, one or more domestic subsidiaries may be merged into a domestic or foreign parent corporation only if the parent owns ninety percent or more of each class of the outstanding shares of the subsidiary.
- 5. Pursuant to Ohio Revised Code Section 1701.79(B)(6), the surviving or new corporation must consent to be sued and served with process in this state, and the irrevocable appointment of the Secretary of State as its agent to accept service of process in any proceeding in the state of Ohio.
- 6. Pursuant to Ohio Revised Code Section 1701.79(F), if the surviving or new corporation does not desire to be licensed to transact business in the state of Ohio, the agreement of merger shall be accompanied by affidavits, receipts, certificates or other evidence required by division (H) of Section 1701.86 of the Revised Code with respect to each Ohio corporation, and with respect to foreign constituent corporation licensed to transact business in Ohio, the affidavits, receipts, certificates or other evidence required by division (C) or (D) of Section 1703.17 of the Revised Code. (Copies of requisite forms enclosed.)
- 7. The fee for filing a merger or consolidation is \$50.00.
- 8. \_\_\_\_\_ was cancelled by the Ohio Department of Taxation on \_\_\_\_\_. Before filing the merger/consolidation, you must obtain a D-3 (Certificate of Reinstatement) from the Ohio Department of Taxation. The D-3 must be filed with the Secretary of State together with a \$10 filing fee prior to filing the merger/consolidation.
- 9. \_\_\_\_\_ was cancelled on \_\_\_\_\_ the \_\_\_\_\_  
trued existence. Prior to filing the \_\_\_\_\_  
submitted \_\_\_\_\_

0501081518

LAW OFFICES  
YOUNG, PRYOR, LYNN & JERARDI

SUITE 350 "THE OLD POST OFFICE BUILDING"

120 WEST THIRD STREET  
DAYTON, OHIO 45402

(513) 224-1981

FAX #(513) 224-5649

OF COUNSEL  
RICHARD E. PRYOR  
JAMES T. LYNN, JR.

CHARLES F. YOUNG 1921-1993

MICHAEL J. BURDGE  
ROBERT B. COUGHLIN\*  
THOMAS J. INTILI\*\*\*  
PETER J. JERARDI, JR.  
CARLO C. MCGINNIS\*\*  
LARRY A. SMITH

\*ALSO ADMITTED IN INDIANA  
\*\*ALSO ADMITTED IN CALIFORNIA  
\*\*\*ALSO ADMITTED IN FLORIDA

November 7, 1995

Secretary of State  
Corporation Division  
30 E. Broad Street - 14th Floor  
Columbus, Ohio 43266-0418

Dear Sir/Madam:

Enclosed please find all of the original documents pertaining to the certificate of merger for Deuer Developments, Inc. I have removed Ohio Hoist & Puller, Inc. from section II and indicated the effective date to be October 23, 1995. I hope that these corrections will now enable you to process this matter.

If you have any questions, or need anything further, please contact the undersigned.

Very truly yours,

  
Peter J. Jerardi, Jr.

PJJ/mfv  
Enclosures

RECEIVED  
NOV 08 1995  
BOB TAFT  
SECRETARY OF STATE

CORRESPONDENCE