

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM505612

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	MERGER		
<b>EFFECTIVE DATE:</b>	01/01/2017		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Construction Metals, LLC		12/20/2016	Limited Liability Company: CALIFORNIA
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Pacific Award Metals, Inc.		
<b>Street Address:</b>	1315 Vineland Avenue		
<b>City:</b>	Baldwin Park		
<b>State/Country:</b>	CALIFORNIA		
<b>Postal Code:</b>	91706		
<b>Entity Type:</b>	Corporation: CALIFORNIA		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Serial Number:</b>	85581024	FLUE GUARD	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	7168535199		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
<b>Phone:</b>	7168535100		
<b>Email:</b>	mstorck@lippes.com		
<b>Correspondent Name:</b>	Michael E. Storck		
<b>Address Line 1:</b>	50 Fountain Plaza, Suite 1700		
<b>Address Line 4:</b>	Buffalo, NEW YORK 14202		
<b>NAME OF SUBMITTER:</b>	Michael E Storck		
<b>SIGNATURE:</b>	/Michael E. Storck/		
<b>DATE SIGNED:</b>	01/11/2019		
<b>Total Attachments: 6</b>			
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**State of California  
Secretary of State**

OBE MERG

**Certificate of Merger**

(California Corporations Code sections 1113(g), 3203(g), 6019.1, 8019.1, 9640, 12540.1, 15911.14, 16915(b) and 17710.14)

**IMPORTANT — Read all instructions before completing this form.**

This Space For Filing Use Only

1. NAME OF SURVIVING ENTITY Pacific Award Metals, Inc.		2. TYPE OF ENTITY Corporation		3. CA SECRETARY OF STATE FILE NUMBER 2311501		4. JURISDICTION CA											
5. NAME OF DISAPPEARING ENTITY Construction Metals, LLC		6. TYPE OF ENTITY Limited Liability Company		7. CA SECRETARY OF STATE FILE NUMBER 200600210031		8. JURISDICTION CA											
9. THE PRINCIPAL TERMS OF THE AGREEMENT OF MERGER WERE APPROVED BY A VOTE OF THE NUMBER OF INTERESTS OR SHARES OF EACH CLASS THAT EQUALLED OR EXCEEDED THE VOTE REQUIRED. IF A VOTE WAS REQUIRED, SPECIFY THE CLASS AND THE NUMBER OF OUTSTANDING INTERESTS OF EACH CLASS ENTITLED TO VOTE ON THE MERGER AND THE PERCENTAGE VOTE REQUIRED OF EACH CLASS. ATTACH ADDITIONAL PAGES, IF NEEDED.																	
SURVIVING ENTITY				DISAPPEARING ENTITY													
CLASS AND NUMBER		AND PERCENTAGE VOTE REQUIRED		CLASS AND NUMBER		AND PERCENTAGE VOTE REQUIRED											
n/a		n/a		Common Membership Interests - 10,000		100%											
10. IF EQUITY SECURITIES OF A PARENT PARTY ARE TO BE ISSUED IN THE MERGER, CHECK THE APPLICABLE STATEMENT.																	
<input type="checkbox"/> No vote of the shareholders of the parent party was required.				<input type="checkbox"/> The required vote of the shareholders of the parent party was obtained.													
11. IF THE SURVIVING ENTITY IS A DOMESTIC LIMITED LIABILITY COMPANY, LIMITED PARTNERSHIP, OR PARTNERSHIP, PROVIDE THE REQUISITE CHANGES (IF ANY) TO THE INFORMATION SET FORTH IN THE SURVIVING ENTITY'S ARTICLES OF ORGANIZATION, CERTIFICATE OF LIMITED PARTNERSHIP OR STATEMENT OF PARTNERSHIP AUTHORITY RESULTING FROM THE MERGER. ATTACH ADDITIONAL PAGES, IF NECESSARY.																	
n/a																	
12. IF A DISAPPEARING ENTITY IS A DOMESTIC LIMITED LIABILITY COMPANY, LIMITED PARTNERSHIP, OR PARTNERSHIP, AND THE SURVIVING ENTITY IS NOT A DOMESTIC ENTITY OF THE SAME TYPE, ENTER THE PRINCIPAL ADDRESS OF THE SURVIVING ENTITY.																	
PRINCIPAL ADDRESS OF SURVIVING ENTITY 1315 Westland Avenue				CITY AND STATE Baldwin Park, California		ZIP CODE 91706											
13. OTHER INFORMATION REQUIRED TO BE STATED IN THE CERTIFICATE OF MERGER BY THE LAWS UNDER WHICH EACH CONSTITUENT OTHER BUSINESS ENTITY IS ORGANIZED. ATTACH ADDITIONAL PAGES, IF NECESSARY.																	
n/a																	
14. STATUTORY OR OTHER BASIS UNDER WHICH A FOREIGN OTHER BUSINESS ENTITY IS AUTHORIZED TO EFFECT THE MERGER.						15. FUTURE EFFECTIVE DATE, IF ANY											
n/a						<table border="0"> <tr> <td>01</td> <td>-</td> <td>01</td> <td>-</td> <td>2017</td> </tr> <tr> <td>(Month)</td> <td></td> <td>(Day)</td> <td></td> <td>(Year)</td> </tr> </table>		01	-	01	-	2017	(Month)		(Day)		(Year)
01	-	01	-	2017													
(Month)		(Day)		(Year)													
16. ADDITIONAL INFORMATION SET FORTH ON ATTACHED PAGES, IF ANY, IS INCORPORATED HEREIN BY THIS REFERENCE AND MADE PART OF THIS CERTIFICATE.																	
17. I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT OF MY OWN KNOWLEDGE AND BELIEF AS THE PERSON WHO EXECUTED THIS INSTRUMENT, WHICH EXECUTION IS MY ACT AND DEED.																	
SIGNATURE OF AUTHORIZED PERSON FOR THE SURVIVING ENTITY				DATE													
				12/20/16													
				Cherri Syvrud, Vice President													
SIGNATURE OF AUTHORIZED PERSON FOR THE SURVIVING ENTITY				DATE													
				12/20/16													
				Timothy F. Murphy, Secretary													
SIGNATURE OF AUTHORIZED PERSON FOR THE DISAPPEARING ENTITY				DATE													
				12/20/16													
				Timothy F. Murphy, Vice President of Pacific Award Metals, Inc., sole Manager/Member													
SIGNATURE OF AUTHORIZED PERSON FOR THE DISAPPEARING ENTITY				DATE													
				12/20/16													
				Timothy F. Murphy, Vice President of Pacific Award Metals, Inc., sole Manager/Member													
18. For an entity that is a business trust, real estate investment trust or an unincorporated association, set forth the provision of law or other basis for the authority of the person signing: _____																	
OBE MERG-1 (REV 5/12/15)																	
APPROVED BY SECRETARY OF STATE																	



I hereby certify that the foregoing  
transcript of \_\_\_\_\_ (page(s))  
is a full, true and correct copy of the  
original record in the custody of the  
Commonwealth Secretary of State's office.

DEC 30 2016

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

Handwritten signature of Alex Prolla in cursive script.

ALEX PROLLA, Secretary of State

TRADEMARK

REEL: 006522 FRAME: 0955

231150 (SRU) 0792478

FILED  
Secretary of State  
State of California

DEC 29 2016

EFFECTIVE  
DATE

JAN 01 2017

PLAN AND AGREEMENT OF MERGER

This Plan and Agreement of Merger, dated as of December 29, 2016, is entered into by and between Construction Metals, LLC, a California limited liability company with offices at 1315 Vineland Avenue, Baldwin Park, California 91706 ("Construction"), and Pacific Award Metals, Inc., a California corporation with offices at 1315 Vineland Avenue, Baldwin Park, California 91706 ("Pacific"), and together with Construction herein sometimes referred to as the "Constituent Entities".

WITNESSETH:

WHEREAS, the Sole Manager of Construction and the Board of Directors of Pacific deem it advisable and in the best interests of each such entity that Construction be merged with and into Pacific in accordance with the terms of this Plan and Agreement of Merger (the "Merger"); and

WHEREAS, the Constituent Entities have adopted resolutions approving this Plan and Agreement of Merger;

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements herein contained, the parties hereto agree as follows:

ARTICLE ONE  
THE MERGER

1.1 Surviving Entity. At the Effective Time (as defined in Article 5 hereof), Construction shall be merged with and into Pacific (sometimes referred to herein as the "Surviving Entity"), which shall continue to be governed by the laws of the State of California, and the separate identity and existence of Construction shall thereupon cease. The Merger shall be completed pursuant to the relevant provisions of the California Corporations Code.

1.2 Effects of the Merger. The Merger shall have the effects set forth in the California Corporations Code, including without limitation, upon the effectiveness of the Merger: (a) the separate existence of Construction shall cease; (b) Pacific, as the Surviving Entity shall possess all of the rights, privileges, powers, immunities, purposes, franchises, properties and assets of each of Construction and Pacific; (c) all real and personal property, tangible and intangible, of every kind and description belonging to Construction and Pacific shall be vested in Pacific as the Surviving Entity without further act or deed, and the title to any real estate or any interest therein vested in either Construction or Pacific shall not revert or in any way be impaired by reason of the Merger; (d) Pacific, as the Surviving Entity shall be liable for all the obligations and liabilities of each of Construction and Pacific and any claim existing or action or proceeding pending by or against either Construction or Pacific may be enforced as if the Merger had not taken place; and (e) neither the rights of creditors nor any liens upon or security interests in the property of either Construction or Pacific shall be impaired by the Merger.

**ARTICLE TWO  
ARTICLES OF ORGANIZATION**

2.1 At the Effective Time, the Articles of Incorporation of Pacific, as in effect immediately prior to the Effective Time, shall, as provided for in the California Corporations Code, be the Articles of Incorporation of the Surviving Entity.

**ARTICLE THREE  
DIRECTORS AND OFFICERS**

3.1 The persons who are directors or officers of Pacific at the Effective Time shall, immediately after the Effective Time, be the officers and directors of the Surviving Entity, until their successors are elected or appointed in accordance with law.

**ARTICLE FOUR  
MANNER AND CONVERSION OF OWNERSHIP INTEREST**

4.1 The manner and basis of converting the ownership interest of the Constituent Entities in the Merger shall be as follows:

(a) Upon the Effective Time of the Merger, the membership interests in Construction shall automatically be canceled, without consideration, and retired and shall cease to exist.

(b) Each common share of Pacific having a par value of \$1.00 per share, which is issued and outstanding at the Effective Time shall continue to be an issued and outstanding common share of Pacific having a par value \$1.00 per share following the filing by the California Secretary of State of the Certificate of Merger of Construction and Pacific into Pacific.

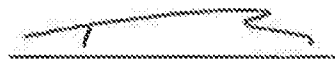
**ARTICLE FIVE  
EFFECTIVE TIME**

5.1 As used in this Plan and Agreement of Merger, the term "Effective Time" shall mean 12:01 a.m. on January 1, 2017, provided that the following actions have been completed: (a) this Plan and Agreement of Merger shall have been approved by both Construction and Pacific in accordance with the California Corporations Code and (b) a Certificate of Merger with respect to this Plan and Agreement of Merger shall have been duly filed with the California Secretary of State in accordance with the California Corporations Code.


IN WITNESS WHEREOF, this Plan and Agreement of Merger has been duly executed and delivered as of the date first above written.

**CONSTRUCTION METALS, LLC**

By: Pacific Award Metals, Inc.  
Its: Sole Manager

By:   
Timothy F. Murphy  
Vice President

**PACIFIC AWARD METALS, INC.**

By:   
Title: Vice President and Secretary  
Timothy F. Murphy

PACIFIC AWARD METALS, INC.

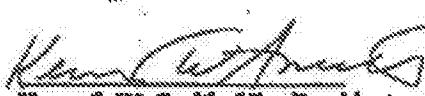
Officers' Certificate of Approval of Agreement of Merger

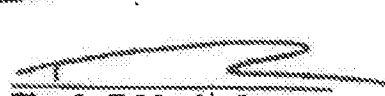
The undersigned, Kenneth W. Smith and Timothy F. Murphy, hereby certify:

- 1. That they are, respectively, the duly elected and acting Vice President and Secretary of Pacific Award Metals, Inc. (the "Company"), and that, as such, the undersigned are authorized to execute and deliver this Certificate in the name and on behalf of the Company.
- 2. The Plan and Agreement of merger entered into and approved by and between the Company and Construction Metals, LLC ("Construction", and together with the Company herein referred to as the "Constituent Entities"), whereby the Constituent Entities deemed it advisable and in the best interests of each such entity that Construction be merged with and into the Company in accordance with the terms of the Plan and Agreement of Merger (the "Merger").
- 3. That a vote of the shareholders of the Company to approve the Merger was not required pursuant to California Corporations Code § 1201(b) as the shareholders of the Company immediately before the Merger shall own equity securities of the Company possessing more than five-sixths of the voting power of the Company immediately after the Merger.
- 4. That the total number of Membership Interests of Construction entitled to vote on the Merger is 10,000 common Membership Interests. There is no other class of Membership Interests of Construction and no other approval of any person or persons is required to approve the Merger. The Company owns one hundred percent (100%) of the outstanding common Membership Interests of Construction.
- 5. That the Merger was duly approved by the Board of Directors of the Company as a vote of the shareholders of the Company was not required pursuant to California Corporations Code § 1201(b).
- 6. That the Merger was duly approved by the sole Member of Construction by a vote of one hundred percent (100%) of the 10,000 outstanding common Membership Interests, which exceeded the percentage of Membership Interests of Construction required to approve the Merger.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this Certificate are true and correct of our own knowledge.

Date: December 20, 2016

By:   
Kenneth W. Smith, Vice President  
Pacific Award Metals, Inc.

By:   
Timothy F. Murphy, Secretary  
Pacific Award Metals, Inc.