

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM614878

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	MERGER		
<b>EFFECTIVE DATE:</b>	10/02/2018		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Fond Memories Pet Cemetery & Crematorium, Inc.		10/02/2018	Corporation: TEXAS
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	4283929 Delaware, LLC		
<b>Street Address:</b>	2 Daniels Way		
<b>City:</b>	Cranston		
<b>State/Country:</b>	RHODE ISLAND		
<b>Postal Code:</b>	02921		
<b>Entity Type:</b>	Limited Liability Company: DELAWARE		
<b>PROPERTY NUMBERS Total: 5</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	4962615	BEFORE HEAVEN, THERE'S FOND MEMORIES	
<b>Registration Number:</b>	4338557		
<b>Registration Number:</b>	4962612	FOND MEMORIES PET CEMETERY & CREMATORIUM	
<b>Registration Number:</b>	5300473	FOND MEMORIES PET CEMETERY & CREMATORIUM	
<b>Registration Number:</b>	5644011		
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	5132416234		
<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>	5132412324		
<b>Email:</b>	ksmith@whe-law.com		
<b>Correspondent Name:</b>	Kathryn E. Smith, Wood Herron & Evans		
<b>Address Line 1:</b>	441 Vine Street		
<b>Address Line 2:</b>	2700 Carew Tower		
<b>Address Line 4:</b>	Cincinnati, OHIO 45202		
<b>NAME OF SUBMITTER:</b>	Kathryn E. Smith		
<b>SIGNATURE:</b>	/Kathryn E. Smith/		
<b>DATE SIGNED:</b>	12/16/2020		

OP \$140.00 4962615

**Total Attachments: 10**

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## Office of the Secretary of State

October 03, 2018

Loan Star Information Services  
P.O. Box 2072  
Austin, TX 78768 USA

RE:  
4283929 Delaware, LLC ( File Number: 802732949 )

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It has been our pleasure to approve and place on record the filing instrument effecting a merger. The appropriate evidence of filing is attached for your files. Payment of the filing fee is acknowledged by this letter.

If we can be of further service at any time, please let us know.

Sincerely,

Corporations Section  
Business & Public Filings Division  
(512) 463-5555

Enclosure



## Office of the Secretary of State

### CERTIFICATE OF MERGER

The undersigned, as Secretary of State of Texas, hereby certifies that a filing instrument merging

FPS GROUP, INC.  
Domestic For-Profit Corporation  
[File Number: 800590749]

FOND MEMORIES PET CEMETERY & CREMATORIUM, INC.  
Domestic For-Profit Corporation  
[File Number: 800231980]

Into

4283929 Delaware, LLC  
Foreign Limited Liability Company (LLC)  
Delaware, USA  
[File Number: 802732949]

has been received in this office and has been found to conform to law.

Accordingly, the undersigned, as Secretary of State, and by the virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing the acceptance and filing of the merger on the date shown below.

Dated: 10/02/2018

Effective: 10/02/2018



A handwritten signature in black ink, appearing to read "Rolando B. Pablos".

Rolando B. Pablos  
Secretary of State

*Come visit us on the internet at <http://www.sos.state.tx.us/>*

Corporations Section  
P.O.Box 13697  
Austin, Texas 78711-3697



Rolando B. Pablos  
Secretary of State

## Office of the Secretary of State

*Come visit us on the internet at <http://www.sos.state.tx.us/>*

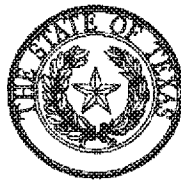
Phone: (512) 463-5555  
Prepared by: Debbie Gustafson

Fax: (512) 463-5709  
TID: 10343

Dial: 7-1-1 for Relay Services  
**TRADEMARK**

REEL: 007137 FRAME: 0505

Form 622  
(Revised 12/15)  
Return in duplicate to:  
Secretary of State  
P.O. Box 13697  
Austin, TX 78711-3697  
512 463-5555  
FAX: 512 463-5709  
Filing Fee: see instructions



Certificate of Merger  
Combination Merger  
Business Organizations Code

This space reserved for office use.

FILED  
In the Office of the  
Secretary of State of Texas  
OCT 02 2018  
Corporations Section

Parties to the Merger

Pursuant to chapter 10 of the Texas Business Organizations Code, and the title applicable to each domestic filing entity identified below, the undersigned parties submit this certificate of merger.

The name, organizational form, state of incorporation or organization, and file number, if any, issued by the secretary of state for each organization that is a party to the merger are as follows:

Party 1

FPS Group, Inc.

Name of Organization

The organization is a \_\_\_\_\_ for profit corporation It is organized under the laws of \_\_\_\_\_  
*Specify organizational form (e.g., for-profit corporation)*

TX USA The file number, if any, is 800590749  
*State Country Texas Secretary of State file number*

Its principal place of business is PO Box 40581 Fort Worth TX  
*Address City State*

The organization will survive the merger.  The organization will not survive the merger.

The plan of merger amends the name of the organization. The new name is set forth below.

Name as Amended

Party 2

Fond Memories Pet Cemetery & Crematorium, Inc.

Name of Organization

The organization is a \_\_\_\_\_ for profit corporation It is organized under the laws of \_\_\_\_\_  
*Specify organizational form (e.g., for-profit corporation)*

TX USA The file number, if any, is 800231980  
*State Country Texas Secretary of State file number*

Its principal place of business is 1102 S 7th St Conroe TX  
*Address City State*

The organization will survive the merger.  The organization will not survive the merger.

The plan of merger amends the name of the organization. The new name is set forth below.

Name as Amended

Party 3

4283929 Delaware, LLC

Name of Organization

The organization is a \_\_\_\_\_ limited liability company It is organized under the laws of \_\_\_\_\_  
*Specify organizational form (e.g., for-profit corporation)*

DE USA The file number, if any, is n/a  
State Country Texas Secretary of State file number  
Its principal place of business is 2 Daniels Way Cranston RI  
Address City State

- The organization will survive the merger.  The organization will not survive the merger.
- The plan of merger amends the name of the organization. The new name is set forth below.

Name as Amended

Plan of Merger

- The plan of merger is attached.

If the plan of merger is not attached, the following statements must be completed.

Alternative Statements

Instead of providing the plan of merger, each domestic filing entity certifies that:

- 1. A plan of merger is on file at the principal place of business of each surviving, acquiring, or new domestic entity or non-code organization that is named in this form as a party to the merger or an organization created by the merger.
- 2. On written request, a copy of the plan of merger will be furnished without cost by each surviving, acquiring, or new domestic entity or non-code organization to any owner or member of any domestic entity that is a party to or created by the plan of merger and, if the certificate of merger identifies multiple surviving domestic entities or non-code organizations, to any creditor or obligee of the parties to the merger at the time of the merger if a liability or obligation is then outstanding.

Item 3A is the default selection. If the merger effected an amendment to, a restatement of, or an amendment and restatement of the certificate of formation of a surviving filing entity, you must select and complete one of the options shown below. Options 3B and 3C require the submission of the described attachment.

3A. No amendments to the certificate of formation of any surviving filing entity that is a party to the merger are effected by the merger.

3B.  No amendments to the certificate of formation of any filing entity are being effected by the merger or by the restated certificate of formation of the surviving filing entity named in the attached restated certificate of formation.

3C.  The plan of merger effected an amendment and restatement of the certificate of formation of a surviving filing entity. The amendments being made and the name of the surviving entity restating its certificate of formation are set forth in the attached restated certificate of formation containing amendments.

3D.  The plan of merger effected amendments or changes to the following surviving filing entity's certificate of formation.

Name of filing entity effecting amendments

The changes or amendments to the filing entity's certificate of formation, other than the name change noted previously, are stated below.

[Empty rectangular box for amendment text]

4. Organizations Created by Merger

The name, jurisdiction of organization, principal place of business address, and entity description of each entity or other organization to be created pursuant to the plan of merger are set forth below. The certificate of formation of each new domestic filing entity to be created is being filed with this certificate of merger.

Name of New Organization 1 Jurisdiction Entity Type (See instructions)

Principal Place of Business Address City State Zip Code

Name of New Organization 2 Jurisdiction Entity Type (See instructions)

Principal Place of Business Address City State Zip Code

Name of New Organization 3 Jurisdiction Entity Type (See instructions)

Principal Place of Business Address City State Zip

Approval of the Plan of Merger

The plan of merger has been approved as required by the laws of the jurisdiction of formation of each organization that is a party to the merger and by the governing documents of those organizations.

[ ] The approval of the owners or members of \_\_\_\_\_ Name of domestic entity was not required by the provisions of the BOC.

Effectiveness of Filing (Select either A, B, or C.)

A. [ ] This document becomes effective when the document is accepted and filed by the secretary of state.

B. [X] This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: October 2, 2018

C. [ ] This document takes effect on the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: \_\_\_\_\_

The following event or fact will cause the document to take effect in the manner described below:



Text Area

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**Tax Certificate**

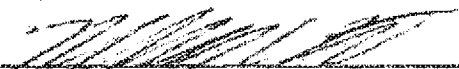
- Attached hereto is a certificate from the comptroller of public accounts that all taxes under title 2, Tax Code, have been paid by the non-surviving filing entity.
- Instead of providing the tax certificate, one or more of the surviving, acquiring or newly created organizations will be liable for the payment of the required franchise taxes.

**Execution**

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument. The undersigned certifies that the statements contained herein are true and correct, and that the person signing is authorized under the provisions of the Business Organizations Code, or other law applicable to and governing the merging entity, to execute the filing instrument.

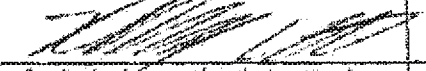
Date: October 2, 2018

FPS Group, Inc.  
Merging Entity Name

  
Signature of authorized person (see instructions)

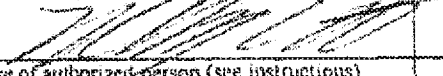
Kelly Clinton  
Printed or typed name of authorized person

Fond Memories Pet Cemetery & Crematorium, Inc.  
Merging Entity Name

  
Signature of authorized person (see instructions)

Kelly Clinton  
Printed or typed name of authorized person

4283929 Delaware, LLC  
Merging Entity Name

  
Signature of authorized person (see instructions)

Kelly Clinton  
Printed or typed name of authorized person

## PLAN OF MERGER

Pursuant to Title 1 Chapter 10 of the Texas Business Organizations Code, this Plan of Merger (the "Plan") is made effective as of October 2, 2018 between 4283929 Delaware, LLC, a Delaware limited liability company (the "Surviving Company"), Fond Memories Pet Cemetery & Crematorium, Inc., a Texas corporation ("Fond Memories"), and FPS Group, Inc., a Texas corporation ("FPS") Fond Memories and FPS collectively, the "Disappearing Companies"), (the Surviving Company and Disappearing Companies are sometimes hereinafter referred to as the "Constituent Entities"), who agree as follows:

### 1. Recitals.

a) The Surviving Company was organized in the State of Delaware on July 14, 2016 and was assigned File No. 6096684. The Surviving Company has One Hundred (100) membership units issued and outstanding ("Surviving Company Units").

b) Fond Memories was organized in the State of Texas on August 5, 2003 and was assigned File No. 800231980. Fond Memories has One Thousand (1,000) shares issued and outstanding ("Fond Memories Shares").

c) FPS was organized in the State of Texas on December 28, 2005 and was assigned File No. 800590749. FPS has 10,000 common shares issued and outstanding ("FPS Shares").

d) The Constituent Entities deem it advisable and for the benefit of their respective entities that each of the Disappearing Companies merge with and into the Surviving Company on the terms and conditions hereinafter set forth (the "Merger").

e) Gateway US Holdings, Inc., a Delaware corporation is the sole owner of all of the Fond Memories Shares, all of the FPS Shares and all of the Surviving Company Units.

2. Merger. At the effective time of the Merger, each of Fond Memories and FPS shall be merged with and into the Surviving Company and the Surviving Company shall continue its existence under the laws of the State of Delaware.

3. Certificate of Formation. The Merger shall effect no change in the Certificate of Formation of the Surviving Company.

4. Terms of Merger.

a) Each of the Fond Memories Shares issued and outstanding at the effective time of the Merger shall be cancelled and retired. Each of the FPS Shares issued and outstanding at the effective time of the Merger shall be cancelled and retired. The Surviving Company Units shall be unaffected by the Merger.

b) The Surviving Company shall be liable for the payment of any required franchise taxes that are due and payment by FPS and Fond Memories.

5. Right to Abandon Merger. This Plan may be terminated and the Merger abandoned at any time by mutual agreement of the Constituent Entities.

6. Right to Amend Plan of Merger. This Plan may be amended at any time prior to the filing of the Certificate of Merger by mutual agreement of the Constituent Entities.

7. Effective Time of Merger. The Merger shall be effective as of 12:01 a.m. on October 2, 2018.


The undersigned certify that the statements contained herein are true and correct, and that the person signing on behalf of the entity below is authorized under the provisions of the Texas Business Organizations Code or the Delaware Limited Liability Company Act.

Signed as of the date specified above.

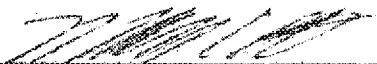
FPS GROUP, INC.

By:   
Name: Kelly Clinton  
Title: Vice President

FOND MEMORIES PET CEMETERY &  
CREMATORIUM, INC.

By:   
Name: Kelly Clinton  
Title: Vice President

42839529 DELAWARE, LLC

By:   
Name: Kelly Clinton  
Title: Vice President

4825-2389-7459, v. 1