

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

ETAS ID: TM763446

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	MERGER AND CHANGE OF NAME		
EFFECTIVE DATE:	12/03/2020		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Utex Industries, Inc.		12/03/2020	Corporation: TEXAS
NEWLY MERGED ENTITY DATA			
Name	Execution Date	Entity Type	
Energy Products, Inc.	12/03/2020	Corporation: DELAWARE	
MERGED ENTITY'S NEW NAME (RECEIVING PARTY)			
Name:	Utex Industries, Inc.		
Street Address:	10810 Katy Freeway, Suite 100		
City:	Houston		
State/Country:	TEXAS		
Postal Code:	77043		
Entity Type:	Corporation: DELAWARE		
PROPERTY NUMBERS Total: 15			
Property Type	Number	Word Mark	
Registration Number:	5363567	CORE-X	
Registration Number:	5099333	ACCUSEAL	
Registration Number:	5077936	AMERIFRAC-NITRO	
Registration Number:	4515654	XLH	
Registration Number:	3401764	SMOOTHDRIVE	
Registration Number:	3576696	SUPERTEX	
Registration Number:	2732581	CHEMTEX	
Registration Number:	2197741	UTEX	
Registration Number:	2202027	SUPER GOLD	
Registration Number:	2031037	U-PAK	
Registration Number:	1932090	SMOOTHHAMMER	
Registration Number:	1656602	LIBERATOR	
Registration Number:	1616426	SMOOTHDRILL	
Registration Number:	1499566	TEXLOK	

OP \$390.00 5363567

Property Type	Number	Word Mark
Registration Number:	0966073	UTEX

CORRESPONDENCE DATA	
Fax Number:	
<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>	
Phone:	2146515304
Email:	mike.mcarthur@haynesboone.com
Correspondent Name:	Haynes and Boone, LLP c/o Mike McArthur
Address Line 1:	2323 Victory Avenue; Suite 700
Address Line 4:	Dallas, TEXAS 75219

ATTORNEY DOCKET NUMBER:	0041510.00018
NAME OF SUBMITTER:	Mike McArthur
SIGNATURE:	/Mike McArthur/
DATE SIGNED:	10/25/2022

Total Attachments: 3 source=Utex Industries Inc TX - Certificate of Merger into Energy Products Inc DE and Rename to Utex Industries Inc DE#page1.tif source=Utex Industries Inc TX - Certificate of Merger into Energy Products Inc DE and Rename to Utex Industries Inc DE#page2.tif source=Utex Industries Inc TX - Certificate of Merger into Energy Products Inc DE and Rename to Utex Industries Inc DE#page3.tif

CERTIFICATE OF MERGER

OF

UTEX INDUSTRIES, INC.
a Texas corporation,

WITH AND INTO

ENERGY PRODUCTS, INC.
a Delaware corporation

*(Pursuant to Section 252
of the General Corporation Law of the State of Delaware)*

UTEX Industries, Inc. hereby certifies as of this 3rd day of December 2020 that:

1. UTEX Industries, Inc. ("Parent") was incorporated pursuant to the Business Organizations Code of the State of Texas on the 2nd day of July 1940.

2. Energy Products, LLC ("Energy LLC") was formed pursuant to the Delaware Limited Liability Company Act on the 30th day of April 2013, and pursuant to a Certificate of Conversion to Corporation, Energy LLC converted from a Delaware limited liability company to a Delaware corporation, and the name of Energy LLC was changed to Energy Products, Inc. ("Sub") on the 3rd day of December 2020 (the "Conversion").

3. Parent owns 100% of the outstanding shares of capital stock of Sub.

4. On October 8, 2020 each of Parent, Sub and other affiliated entities (each, a Debtor, and collectively, the "Debtors") filed voluntary petitions with the United States Bankruptcy Court for the Southern District of Texas (the "Bankruptcy Court") for relief under chapter 11 of title 11 of the United States Code styled *In re Utex Industries, Inc., et al.*, jointly administered under Case No. 20-34932 (DRJ) (collectively, the "Chapter 11 Cases"). In connection with the Chapter 11 Cases, the Debtors filed the *Joint Prepackaged Chapter 11 Plan of Utex Industries, Inc. and Its Affiliated Debtors* (as may be amended, restated, amended and restated, supplemented, or otherwise modified from time to time, the "Plan of Reorganization"), which was confirmed by order of the Bankruptcy Court entered on October 28, 2020 (as may be amended, modified, and supplemented, the "Confirmation Order"). Pursuant to the Plan of Reorganization, and as authorized by the Confirmation Order (which provides such approval of the transactions contemplated hereby as required for purposes of Section 252 of the General Corporation Law of the State of Delaware ("DGCL")), Parent and Sub are to effect a merger as set forth in this Certificate of Merger (the "Merger").

5. An Agreement and Plan of Merger, dated as of December 3, 2020 (as amended, restated, modified or supplemented from time to time, the "Merger Agreement"), by and between Parent and Sub, has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with Section 252 and Section 228 of the DGCL. An executed copy of the Merger Agreement is on file at 10810 Katy Freeway, Suite 100, Houston, Texas 77043, the place of business of the surviving corporation. A copy of the Merger Agreement will be furnished by the surviving corporation, on request without cost, to any stockholder of the constituent corporations.

6. Sub shall be the surviving corporation of the Merger.

7. The name of Sub shall be amended upon the effectiveness of the Merger to be "Utex Industries, Inc."

8. The Certificate of Incorporation of Sub, as in effect immediately prior to the Merger, shall be the certificate of incorporation of the surviving corporation, except that Article I shall be amended to read in its entirety as follows:

FIRST: The name of the corporation is Utex Industries, Inc. (the "Corporation").

9. The Merger shall become effective at 4:30 p.m. (Delaware time) on December 3, 2020 (the "Effective Time").

* * * * *

IN WITNESS WHEREOF, Sub has caused this Certificate of Ownership and Merger to be signed by an authorized officer this 3rd day of December 2020.

ENERGY PRODUCTS, INC.

By: /s/ Michael P. Balas

Name: Michael P. Balas

Title: President & Chief Executive Officer

[Signature Page to Certificate of Merger of UTEX Industries, Inc. into Energy Products, Inc.]