# СН \$90.00 6373

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2

ETAS ID: TM781635

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ENTITY CONVERSION

### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
ACS OPCO LLC		12/31/2022	Limited Liability Company: DELAWARE

### **RECEIVING PARTY DATA**

Name:	US LBM OPERATING CO. 2009, LLC	
Street Address:	2150 E. Lake Cook Rd., Suite 1010	
City:	BUFFALO GROVE	
State/Country:	UNITED STATES	
Postal Code:	60089	
Entity Type:	Limited Liability Company: DELAWARE	

# **PROPERTY NUMBERS Total: 3**

Property Type	Number	Word Mark
Registration Number:	6373401	ACS AMERICAN CONSTRUCTION SOURCE
Registration Number:	6373402	ACS AMERICAN CONSTRUCTION SOURCE
Registration Number:	6373400	AMERICAN CONSTRUCTION SOURCE (ACS)

## **CORRESPONDENCE DATA**

**Fax Number:** 3122691747

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.

**Phone:** 3122698000

Email: trademarks@nge.com
Correspondent Name: Thomas C. McDonough

Address Line 1: 2 North LaSalle Street, Suite 1700

Address Line 2: Neal, Gerber & Eisenberg LLP

Address Line 4: Chicago, ILLINOIS 60602

ATTORNEY DOCKET NUMBER:	029699.0010
NAME OF SUBMITTER:	Thomas C. McDonough
SIGNATURE:	/Thomas C. McDonough/
DATE SIGNED:	01/19/2023

**Total Attachments: 3** 

source=ACS Opco LLC [Certificate of Merger (DE)] (Filed)#page1.tif

source=ACS Opco LLC [Certificate of Merger (DE)] (Filed)#page2.tif source=ACS Opco LLC [Certificate of Merger (DE)] (Filed)#page3.tif

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# Delaware The First State

I, JEFFREY W. BULLOCK, 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:

"ACS OPCO LLC", A DELAWARE LIMITED LIABILITY COMPANY,

WITH AND INTO "US LBM OPERATING CO. 2009, LLC" UNDER THE NAME OF "US LBM OPERATING CO. 2009, LLC", A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE ON THE TWENTY-SECOND DAY OF DECEMBER, A.D. 2022, AT 2:46 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE THIRTY-FIRST DAY OF DECEMBER, A.D. 2022.

Authentication: 205174119 Date: 12-22-22

7018921 8100M SR# 20224355254

You may verify this certificate online at corp.delaware.gov/authver.shtml

State of Delaware
Secretary of State
Division of Corporations
Delivered 02:46 PM 12/22/2022
FILED 02:46 PM 12/22/2022
SR 20224355254 - File Number 7018921

#### CERTIFICATE OF MERGER

**OF** 

ACS Opco LLC (a Delaware limited liability company)

#### WITH AND INTO

US LBM Operating Co. 2009, LLC (a Delaware limited liability company)

Pursuant to Section 18-209 of the Delaware Limited Liability Company Act (the "<u>DLLCA</u>"), US LBM Operating Co. 2009, LLC, LLC, a Delaware limited liability company (the "Company"), hereby certifies as follows:

<u>FIRST</u>: The name and state of organization of each of the constituent companies to the merger (the "<u>Constituent Companies</u>") are as follows:

Name State of Organization

US LBM Operating Co. 2009, LLC Delaware ACS Opco LLC Delaware

<u>SECOND</u>: The Agreement of Merger (the "<u>Merger Agreement</u>") has been approved, adopted, certified, executed and acknowledged by each of the Constituent Companies.

<u>THIRD</u>: The name of the surviving company of the merger is "US LBM Operating Co. 2009, LLC" (the "Surviving Company").

<u>FOURTH</u>: The Certificate of Formation of the Company shall be the Certificate of Formation of the Surviving Company.

<u>FIFTH</u>: The executed Merger Agreement is on file at the office of the Surviving Company (or its successor), located at 2150 E. Lake Cook Rd., Suite 1010, Buffalo Grove, Illinois 60089, United States.

SIXTH: A copy of the Merger Agreement will be furnished by the Surviving Company (or its successor), on request and without cost, to any member of either Constituent Company.

<u>SEVENTH</u>: This Certificate of Merger, and the merger provided for herein, shall become effective on December 31, 2022.

(signature page follows)

**RECORDED: 01/19/2023** 

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Merger.

US LBM OPERATING CO. 2009, LLC

Rv.

Name:

Manish Shanbhag

Title: Executive Vice President, General

Counsel, and Secretary

[Signature Page to Certificate of Merger]