

11-26-2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
102293371  
ASSIGNMENT BRANCH

TRADEMARK  
JEMARK OFFICE

Watts, Hoffmann, Fisher & Heinke Co., L.P.A.  
P.O. Box 99839  
Cleveland, Ohio 44199-0839  
Telephone: (216) 241-6700  
Docket No.: 3673.0

Assistant Commissioner of Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

10-30-02

Dear Sir:

Please record the attached original document(s) or copy thereof as follows:

*Conveying Party:* Allied Construction Products, Inc., a Delaware Corporation  
*Receiving Party:* Allied Construction Products, L.L.C., a Nevada Corporation  
*Address:* 3900 Kelley Avenue  
Cleveland, Ohio 44114

*Nature of Conveyance:* Articles of Merger

*Date of Execution:* December 27, 2001

I hereby certify that this paper is being deposited with the U. S. Postal Service as 1st Class Mail addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513

Please record against:

*Registration No(s):* 1,210,276; 1,391,369; 1,240,878; ~~1,403,773~~; 974,319; 896,839; 2,596,711 and 2,606,428

on 10-28-02 *Patricia*

*Application No(s):* \_\_\_\_\_

*No. of Trademark(s):* 8 *No. of Application(s):*   

\_\_\_\_ The assignee is not domiciled in the U.S. and has designated the firm of Watts, Hoffmann, Fisher & Heinke as its domestic representative.

A check in the amount of \$ 215.00 for the recordal fees is enclosed. Please charge any additional fees, or credit any overpayment, to deposit account 23-0630.

To my best knowledge and belief, the foregoing information is true and correct. Please correspond with Watts, Hoffmann, Fisher & Heinke at the above address.

11/25/2002 DBYRNE  
01 FC:8521  
02 FC:8522

00000203 1210276

40.00 DP  
175.00 DP

September 23, 2002  
Date

Respectfully submitted,

*John R. Hlavka*

John R. Hlavka  
Registration No. 29,076

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FILED 1013979-01

DEC 27 2001

RECORDED  
INDEXED  
SERIALIZED

**ARTICLES OF MERGER  
of  
ALLIED CONSTRUCTION PRODUCTS, INC.  
a Delaware Corporation  
with and into  
ALLIED CONSTRUCTION PRODUCTS, LLC  
a Nevada Limited Liability Company**

**FIRST:** The name of the surviving entity is Allied Construction Products, LLC, and the place of its organization is the jurisdiction of Nevada, the laws of which permit this merger. The name of the entity being merged into the surviving entity is Allied Construction Products, Inc., and the place of its organization is the jurisdiction of Delaware, the laws of which permit this merger.

**SECOND:** That an Agreement of Merger has been approved, adopted, certified, executed and acknowledged by the stockholders and directors of Allied Construction Products, Inc. in accordance with the requirements of Section 252 of the General Corporation Law of Delaware and by the members and managers of Allied Construction Products, LLC in accordance with Chapter 86 of the Nevada Revised Statutes.

**THIRD:** That the name of the surviving entity of the merger is Allied Construction Products, LLC, which is organized under the laws of the State of Nevada.

**FOURTH:** That the Articles of Organization of Allied Construction Products, LLC, a Nevada limited liability company, as in effect on the date hereof, shall be the Articles of Organization of the surviving entity after the merger.

**FIFTH:** That the complete executed Agreement of Merger is on file at the principal place of business of the surviving entity, the address of which is 3900 Kelley Avenue, Cleveland, Ohio 44114.

**SIXTH:** That a copy of the Agreement of Merger will be furnished by the surviving entity, on request and without cost, to any stockholder or member of any constituent entity.

**SEVENTH:** All parties to this merger have complied with the laws of their respective jurisdictions of organization concerning this merger.

**EIGHTH:** The effective date of the Merger shall be as of the opening of business on January 1, 2002.

Dated: December 27, 2001

ALLIED CONSTRUCTION PRODUCTS, LLC

By Leo L. Matthews  
Leo L. Matthews, President

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