

Form PTO-1594  
(Rev. 10/02)  
OMB No. 0651-0027 (exp. 6/30/2005)

### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
 Wheelabrator Clean Water Inc.  
 55 Shuman Boulevard  
 Naperville, Illinois 60563

Individual(s)                       Association  
 General Partnership             Limited Partnership  
 Corporation-State  
 Other Delaware Corporation

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

Assignment                               Merger  
 Security Agreement                     Change of Name  
 Other \_\_\_\_\_

Execution Date: January 1, 1996

2. Name and address of receiving party(ies)  
 Name: Wheelabrator Water Technologies Inc.  
 Internal  
 Address: \_\_\_\_\_  
 Street Address: 4 Liberty Lane  
 City: Hampton State: NH Zip: 03842

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State Maryland  
 Other \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic  
 representative designation is attached:  Yes  No  
 (Designations must be a separate document from assignment)  
 Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or registration number(s):  
 A. Trademark Application No.(s) \_\_\_\_\_  
 \_\_\_\_\_

B. Trademark Registration No.(s) 1,252,834

Additional number(s) attached  Yes  No

5. Name and address of party to whom correspondence  
 concerning document should be mailed:  
 Name: Julie A. McWhirter  
 Internal Address: \_\_\_\_\_  
 \_\_\_\_\_  
Howrey Simon Arnold & White, LLP  
 Street Address: 750 Bering Drive  
 \_\_\_\_\_  
 City: Houston State: TX Zip: 77057

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41) ..... \$ 40.00

Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number:  
01-2508/13134.0128.WCOS

**DO NOT USE THIS SPACE**

9. Signature.

Julie A. McWhirter  
Name of Person Signing

  
Signature

October 1, 2003  
Date

Total number of pages including cover sheet, attachments, and document: 5

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20531

CH \$40.00 012608 1262834

*State of Delaware*  
*Office of the Secretary of State* PAGE 1

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I, HARRIET SMITH WINDSOR, 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:

"WHEELABRATOR CLEAN WATER INC.", A DELAWARE CORPORATION,  
"THE WHEELABRATOR CORPORATION", A DELAWARE CORPORATION,  
WITH AND INTO "WHEELABRATOR CLEAN WATER SYSTEMS INC." UNDER THE NAME OF "WHEELABRATOR WATER TECHNOLOGIES INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF MARYLAND, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-EIGHTH DAY OF DECEMBER, A.D. 1995, AT 4:30 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE FIRST DAY OF JANUARY, A.D. 1996.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 1319286

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DATE: 08-29-01  
TRADEMARK

REEL: 002725 FRAME: 0162

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 04:30 PM 12/28/1995  
950312510 - 2038329

State of Delaware  
Secretary of State

**CERTIFICATE OF MERGER  
OF  
THE WHEELABRATOR CORPORATION  
and  
WHEELABRATOR CLEAN WATER INC.  
INTO  
WHEELABRATOR CLEAN WATER SYSTEMS INC.**

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The undersigned corporation

**DOES HEREBY CERTIFY:**

**FIRST:** That the names and states of incorporation of each of the constituent corporations of the merger are as follows:

NAME	STATE OF INCORPORATION
Wheelabrator Clean Water Systems Inc.	Maryland
The Wheelabrator Corporation	Delaware
Wheelabrator Clean Water Inc.	Delaware

**SECOND:** That an Agreement and Plan of Merger between the parties to the merger has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with the requirements of Section 252 of the General Corporation Law of Delaware.

**THIRD:** That the name of the surviving corporation of the merger is Wheelabrator Clean Water Systems Inc., which shall herewith be changed to Wheelabrator Water Technologies Inc., a Maryland corporation.

**FOURTH:** That the amendments or changes in the "Certificate of Incorporation" of Wheelabrator Clean Water Systems Inc., the surviving corporation, as are to be effected by the merger are as follows:

**FIRST:** The name of the corporation (hereinafter called the "corporation") is Wheelabrator Water Technologies Inc.

All other provisions of the surviving corporation's Articles of Incorporation in effect immediately preceding the Merger shall in no way be altered or repealed as a result of the Merger and shall be and remain provisions of the Articles of Incorporation of the Surviving Corporation.

**FIFTH:** The surviving corporation agrees that it may be served with process in the State of Delaware, and irrevocably appoints the Secretary of State of the State of Delaware as its agent to accept service of process in any proceeding for the enforcement of any obligation of The Wheelabrator Corporation, Wheelabrator Clean Water Inc., or any obligation of the surviving corporation arising from the Merger. The address to which the Secretary of State may forward service of process is Liberty Lane, Hampton, New Hampshire 03842; Attention: General Counsel.


**SIXTH:** That the executed Agreement and Plan of Merger is on file at the principal place of business of the surviving corporation, the address of which is Liberty Lane, Hampton, New Hampshire 03842.

**SEVENTH:** That a copy of the Agreement and Plan of Merger will be furnished, on request and without cost, to any stockholder of any constituent corporation.

**EIGHTH:** That the effective date of the merger shall be January 1, 1996.

Dated: January 1, 1996

**WHEELABRATOR CLEAN WATER  
SYSTEMS INC.**

By   
Mark F. Paul  
Vice President

**ATTEST:**

By   
Barbara Rindfleisch  
Assistant Secretary