

11-5-98

RECORDATION FORM  
PATENTS

11-17-1998



U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
No: WATI112617

100901148

To the Honorable Assistant Commissioner for Patents: Please record

1. Name of conveying party:

Waterjet International, Inc.

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

3. Nature of conveyance:

- ☐ Assignment ☒ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution date: August 19, 1998

2. Name and address of receiving party:

Name: Surface Protection, Inc.

Address: 330 North Sam Houston Parkway East

City: Houston State: TX ZIP: 77060-3300

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

A. Patent Application Nos. 08/891,667; 09/113,975

B. Patent No(s).

Additional numbers attached? ☐ Yes ☒ No

If this document is being filed together with a new application, the execution date of the application is:

5. Name and address of party to whom correspondence concerning document should be mailed:

Lorraine Linford, Esq.  
CHRISTENSEN O'CONNOR  
JOHNSON & KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, WA 98101-2347  
(206) 682-8100

11/13/1998 SOURNS 00000146 08891667  
01 FC:581 80.00 DP

6. Total number of applications and patents involved: 2

7. Total fee (37 C.F.R. 3.41): \$ 80.00  
Check No. 100699 in the amount of \$80.00 is enclosed.

8. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 03-1740. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application.

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Lorraine Linford  
Name of Attorney or Agent  
Registration No. 35,939  
Direct Dial (206) 224-0708

Signature

Date

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

OMB No. 0651-0011 (exp. 4/94)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid addressed to: U.S. Patent and Trademark Office, Office of Public Records, Crystal Gateway 4, Room 335, Washington, D.C. 20231, on November 5, 1998

Date: November 5, 1998  
LXL:lal

Signature

Office of the Secretary of State

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I, EDWARD J. FREEL, 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:

"WATERJET INTERNATIONAL, INC.", A WASHINGTON CORPORATION,  
WITH AND INTO "SURFACE PROTECTION, INC." UNDER THE NAME OF  
"SURFACE PROTECTION, INC.", A CORPORATION ORGANIZED AND EXISTING  
UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED  
IN THIS OFFICE THE NINETEENTH DAY OF AUGUST, A.D. 1998, AT 4:30  
O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE  
NEW CASTLE COUNTY RECORDER OF DEEDS.



A handwritten signature in cursive script, reading "Edward J. Freel".

Edward J. Freel, Secretary of State

AUTHENTICATION:

2921811 8100M

DATE: 9263345

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08-20-98

08/26/98 WED 12:07 [TX/RX NO 5218]

**PATENT**  
**REEL: 9575 FRAME: 0234**

**CERTIFICATE OF MERGER  
MERGING  
WATERJET INTERNATIONAL, INC.  
WITH AND INTO  
SURFACE PROTECTION, INC.**

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

Waterjet International, Inc. ("Waterjet") and Surface Protection, Inc. ("SPI"), hereby certify that:

FIRST: The name and state of incorporation of each of the constituent corporations are:

Waterjet International, Inc.  
Surface Protection, Inc.

Washington  
Delaware

SECOND: An Agreement and Plan of Merger dated as of July 20, 1998 ("Merger Agreement") with respect to the merger of Waterjet with and into SPI ("Merger") has been approved, adopted, certified, executed and acknowledged by Waterjet and SPI in accordance with the provisions of subsection (c) of Section 252 of the General Corporation Law of the State of Delaware.

THIRD: The name of the surviving corporation is Surface Protection, Inc.

FOURTH: The certificate of incorporation of SPI shall be the certificate of incorporation of the surviving corporation after the effective time of the Merger, unless and until the same shall be amended or repealed in accordance with the provisions thereof.

FIFTH: The executed Merger Agreement is on file at the principal place of business of the surviving corporation, 330 North Sam Houston Parkway East, Houston, Texas 77060. A copy of the Merger Agreement will be furnished by the surviving corporation, on request and without cost, to any stockholder of Waterjet or SPI.

SIXTH: The authorized capital stock of Waterjet is 50,000,000 shares of Common Stock, par value \$0.01 per share, and 2,000,000 shares of Preferred Stock, par value \$0.01 per share.

**ARTICLES OF MERGER  
(Washington)**

STATE OF <sup>8/19</sup>WASHINGTON

of

AUG 19 1998

**WATERJET INTERNATIONAL, INC.**  
a Washington corporation  
(nonsurviving corporation),

RALPH MUNRO  
SECRETARY OF STATE

with and into

**SURFACE PROTECTION, INC.**  
a Delaware corporation  
(surviving corporation)

Pursuant to the provisions of the Washington Business Corporation Act, Surface Protection, Inc., a Delaware corporation (the "Surviving Company"), hereby delivers to the Washington Secretary of State for filing the following Articles of Merger:

1. Plan of Merger. The Agreement and Plan of Merger ("Plan of Merger") is attached to these Articles of Merger as Exhibit A.
2. Shareholder Approval. The Plan of Merger was duly approved by the shareholders of Waterjet International, Inc. (the "Parent Company") pursuant to RCW 23B.11.030.
3. Merger. The laws of the jurisdiction of organization of the Surviving Company permit a merger of a parent business corporation of the jurisdiction of organization of another jurisdiction into a wholly-owned subsidiary business corporation of the jurisdiction of organization of the Surviving Company and the merger of the Parent Company into the Surviving Company is in compliance with the laws of the jurisdiction of organization of the Surviving Company.
4. Effective Date and Time. The merger shall become effective as of the date and time of filing of these Articles of Merger.

Executed this 19th day of August, 1998.

(surviving corporation)

SURFACE PROTECTION, INC.

By:

Y.H. Michael Pao  
Dr. Y.H. Michael Pao  
Chairman and Chief Executive Officer

(nonsurviving corporation)

WATERJET INTERNATIONAL, INC.

By:

Y.H. Michael Pao  
Dr. Y.H. Michael Pao  
Chairman and Chief Executive Officer