

629.99

07-01-1999

BOX ASSIGNMENTS

DO NOT USE FOR TRADEMARKS



101080496

ILY

TO THE ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS:

SIR: PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.

1. NAME OF CONVEYING PARTY(IES) (ASSIGNORS(S)):

1. CXA Ltd/CXA Ltee

3.

5.

7.

2.

4.

6.

8.

ADDITIONAL NAME(S) OF CONVEYING PARTY(IES) ATTACHED? ☐ YES ☒ NO

2. PARTY(IES) (ASSIGNEE(S)) RECEIVING INTEREST:

NAME: ICI CANADA INC.

ADDRESS: 90 Sheppard Avenue East, North York, Ontario, M2N 6H2

ADDITIONAL NAME(S) & ADDRESS(ES) ATTACHED? ☐ YES ☒ NO

3. NATURE OF CONVEYANCE (DOCUMENT):

(Submit herewith only one document for recordation—multiple copies of same Assignment signed by different inventors is one document)☐ ASSIGNMENT OF ☐ WHOLE ☐ PART INTEREST☐ CHANGE OF NAME ☐ ACCURATE TRANSLATION☐ SECURITY ☒ MERGER ☐ OTHER:

EXEC. DATE: January 1, 1992

EXECUTION DATE(S) ON THE DECLARATION IF FILED HERewith: (NOTE: IF DATES ON DECLARATION AND ASSIGNMENT DIFFER SEE ATTY!)

4.5 APPL. NO.(S) OR PAT NO.(S). OTHERS ON ADDITIONAL SHEET(S) attached? ☒ YES ☐ NO

A. PAT. APP. NO.(S)

M#

1st INVENTOR
if not in item 1

B. PATENT NO(S)

M#

1st INVENTOR
if not in item 1series code/serial
no

4,493,261

21058

5. Name & Address of Party to Whom Correspondence
Concerning Document Should be Mailed:

Pillsbury Madison & Sutro LLP

Intellectual Property Group

1100 NEW YORK AVENUE, N.W.

NINTH FLOOR, EAST TOWER

WASHINGTON, D.C. 20005-3918

6. NUMBER INVOLVED:

APPLNS 0 + PATS 2 = TOTAL

2

7. AMOUNT OF FEE ENCLOSED: (Code 581)

ABOVE TOTAL x \$40 = \$80

5.5 ATTY DKT:

PMS 258421

8. IF ABOVE FEE IS MISSING OR INADEQUATE CHARGE
INSUFFICIENCY TO DEPOSIT ACCOUNT NUMBER: 03-3975

UNDER ORDER NO

21058

258421

MATTER NO.

CLIENT REF.

dup. sheet not required

CLIENT NO.

MATTER NO.

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.

Signature

10. Total number of pages including this
cover sheet, attachments and document
(do not file dup. Cover sheet)

14

Attorney: Paul L. Sharer

Reg. No. 36004

Date: June 29, 1999

Atty/Sec: PLS/jac/ksf

TEL: (202) 861-3649

FAX: (202) 822-0944

06/30/1999 MTHAI1 00000206 4821646

FILE WITH PTO RETURN RECEIPT (PAT-103A)

01 FC:481

80.00 OP

PATENT
REEL: 010052 FRAME: 0747

PAT-114X 1/99

PATENT
REEL: 010052 FRAME: 0748



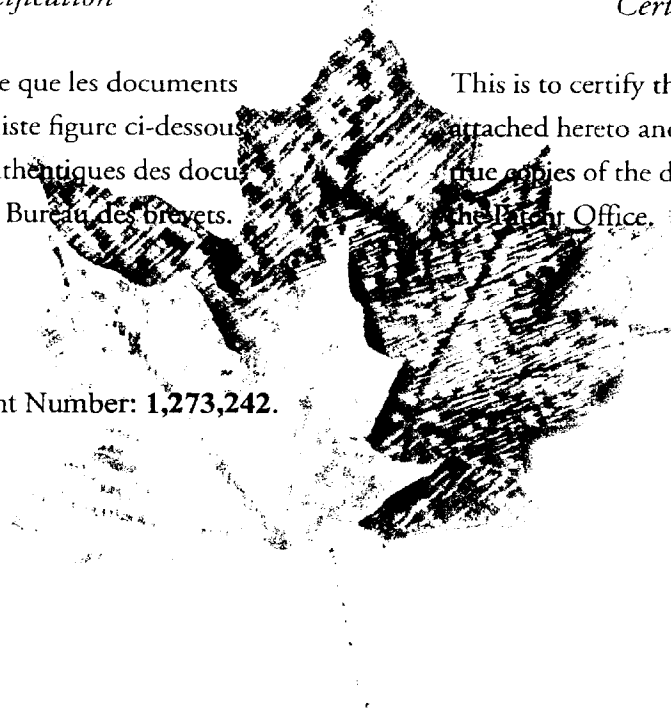
*Bureau canadien
des brevets*
Certification

*Canadian Patent
Office*
Certification

La présente atteste que les documents
ci-joints, dont la liste figure ci-dessous,
sont des copies authentiques des docu-
ments déposés au Bureau des brevets.

This is to certify that the documents
attached hereto and identified below are
true copies of the documents on file in
the Patent Office.

Canadian Patent Number: 1,273,242.



S. H. Bregoire
Agent certificateur/Certifying Officer

June 9, 1998
Date



Industrie
Canada

Industry
Canada

(CIPO 68)

Canada

CANADA
Province of Ontario
To Wit

To all whom these Presents
may come, be seen or known

I, JILL CATHERINE SCHATZ

a Notary Public, in and for the Province of Ontario, by Royal Authority duly appointed, residing
at the City of Toronto

in said Province,

Do Certify and Attest that the paper-writing hereto annexed is a true copy of a document produced
and shown to me by

and purporting to be a Certificate of Amalgamation between ICI Canada Inc. and
CXA Ltd.

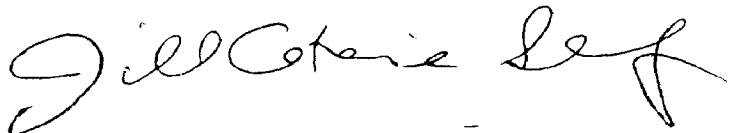
dated the 1st day of January 1992,

the said copy having been compared by me with the said original document, an act whereof being
requested I have granted under my Notarial Form and Seal of Office to serve and avail as occasion
shall or may require.

In Testimony Whereof I have hereto subscribed my name and affixed my Notarial Seal of Office at
Toronto

this 15th day of June 1998.

SEAL



Jill Catherine Schatz
A Notary Public in and for the Province of Ontario.



Certificate of Amalgamation

Canada Business
Corporations Act

Certificat de fusion

Loi régissant les sociétés
par actions de régime fédéral

ICI CANADA INC.

278295-2

Name of Corporation - Dénomination de la société

Number - Numéro

I hereby certify that the above-mentioned Corporation resulted from the amalgamation of the following Corporations under Section 185 of the Canada Business Corporations Act, as set out in the attached articles of Amalgamation.

Je certifie par les présentes que la société mentionnée ci-haut résulte de la fusion des sociétés ci-dessous, en vertu de l'article 185 de la Loi régissant les sociétés par actions de régime fédéral, tel qu'indiqué dans les statuts de fusion ci-joints.

Le directeur

January 1, 1992/le 1 janvier 1992

Director

Date of Amalgamation - Date de fusion

Canada

Name of Amalgamated Corporation

Dénomination de la société issue de la fusion

ICI CANADA INC.

The place within Canada where the registered office is to be situated

Lieu au Canada où doit être situé le siège social

Municipality of Metropolitan Toronto
Province of Ontario

The classes and any maximum number of shares that the corporation is authorized to issue

Catégories et tout nombre maximal d'actions que la société est autorisée à émettre

- an unlimited number of Class A preferred Shares
- an unlimited number of Class B Redeemable Preferred Shares
- an unlimited number of common shares

The annexed Schedule 1 is incorporated in this form.

Restrictions if any on share transfers

Restrictions sur le transfert des actions s'il y a lieu

No shares in the capital of the Corporation shall be transferred or assigned without the approval of the directors certified by a resolution of the board of directors.

Number (or minimum and maximum number) of directors

Nombre (ou nombre minimum et maximum) d'administrateurs

A minimum of 3 and a maximum of 20

Restrictions if any on business the corporation may carry on

Limites imposées quant aux activités que la société peut exploiter, s'il y a lieu.

None

Other provisions if any

Autres dispositions s'il y a lieu

Annexed Schedule 2 is incorporated in this form.

The amalgamation agreement has been approved by special resolutions of shareholders of each of the amalgamating corporations listed in item 10 below in accordance with Section 177 of the Canada Business Corporations Act.



La convention de fusion a été approuvée par résolutions spéciales des actionnaires de chacune des sociétés fusionnantes énumérées à la rubrique 10 ci-dessous, en conformité de l'article 177 de la Loi sur les sociétés commerciales canadiennes.

The amalgamation has been approved by a resolution of the directors of each of the amalgamating corporations listed in item 10 below in accordance with Section 178 of the Canada Business Corporations Act. These articles of amalgamation are the same as the articles of incorporation of (name the designated amalgamating corporation).



La fusion a été approuvée par résolution des administrateurs de chacune des sociétés fusionnantes énumérées à la rubrique 10 ci-dessous en conformité de l'article 178 de la Loi sur les sociétés commerciales canadiennes. Les présents statuts de fusion sont les mêmes que les statuts constitutifs de (nommer la société fusionnante désignée).

Name of the amalgamating corporation the by-laws of which are to be the by-laws of the amalgamated corporation
ICI Canada Inc.

Dénomination de la société fusionnaire dont les règlements doivent être les règlements de la société issue de la fusion

Name of Amalgamating Corporations
Dénomination des sociétés fusionnantes

Corporation No.
N° de la société

Signature

Date

Description of Office
Description du poste

Annexed Schedule 3 is incorporated in

this form

SCHEDULE 1

- a) An unlimited number of Class A preferred Shares (herein the "Class A Shares") which shall have attached thereto the following rights, privileges, restrictions and conditions:
- (i) Payment of Dividends: The holders of the Class A shares shall be entitled to receive dividends if, as and when declared by the board of directors of the Corporation out of the assets of the Corporation properly applicable to the payment of dividends in such amounts and payable in such manner as the board of directors may from time to time determine. Subject to the rights of the holders of any other class of shares of the Corporation entitled to receive dividends in priority to or rateably with the holders of the Class A shares, the board of directors may in their sole discretion declare dividends on the Class A shares to the exclusion of any other class of shares of the Corporation. In no event shall such dividends exceed 8% per annum of the Redemption Price (as hereinafter defined).
 - (ii) Participation upon Liquidation, Dissolution or Winding-Up: In the event of the liquidation, dissolution or winding-up of the Corporation or other distribution of assets of the Corporation among its shareholders for the purpose of winding-up its affairs, the holders of the Class A shares shall, after distribution of all amounts to which the Class B shareholders are entitled, be entitled to receive from the assets of the Corporation a sum equivalent to the aggregate Redemption Amount (as hereinafter defined) of all Class A shares held by them respectively before any amount shall be paid or any assets of the Corporation distributed to the holders of any common shares or shares of any other class ranking junior to the Class A shares. After payment to the holders of the Class A shares of the amount so payable to them as above provided they shall not be entitled to share in any further distribution of the assets of the Corporation.
 - (iii) Voting Rights: The holders of the Class A shares shall not be entitled to receive notice of or to attend any meeting of the shareholders of the Corporation and shall not be entitled to vote at any such meeting.
 - (iv) Redemption by Corporation: The Corporation may, upon giving notice as hereinafter provided, redeem at any time the whole or from time to time any part of the then outstanding Class A shares on payment of an amount for each share to be redeemed equal to the quotient of the fair market value of the assets which are transferred to the Corporation and in respect of which the Class A shares are issued less the aggregate of liabilities assumed by the Corporation on such transfer divided by the number of Class A shares issued in respect of such transfer, such amount being herein referred to as the "Redemption Price", plus all declared and unpaid dividends thereon, the whole constituting and being herein referred to throughout the rights,

privileges, restrictions and conditions attaching to the Class A shares as the "Redemption Amount". Such fair market value shall be determined by the board of directors of the Corporation in accordance with generally accepted valuation principles and as of the date of the transfer of assets referred to above.

- (v) Idem: In the case of redemption of Class A shares under the provisions of clause 7(1)(iv) hereof, the Corporation shall at least 21 days (or, if all of the holders of the Class A shares consent, such shorter period to which they may consent) before the date specified for redemption mail (or, with the consent of any particular holder, otherwise deliver) to each person who at the date of mailing (or delivery, as the case may be) is a holder of Class A shares to be redeemed a notice in writing of the intention of the Corporation to redeem such Class A shares. Such notice shall (subject to the consent of any particular holder referred to above) be mailed by letter, postage prepaid, addressed to each such holder at his address as it appears on the records of the Corporation or in the event of the address of any such holder not so appearing then to the last known address of such holder; provided, however, that accidental failure to give any such notice to one or more of such holders shall not affect the validity of such redemption. Such notice shall set out the Redemption Amount and the date on which redemption is to take place and if part only of the shares held by the person to whom it is addressed is to be redeemed the number thereof so to be redeemed. On or after the date so specified for redemption, the Corporation shall pay or cause to be paid to or to the order of the holders of the Class A shares to be redeemed the Redemption Amount thereof on presentation and surrender at the registered office of the Corporation or any other place designated in such notice of the certificates representing the Class A shares called for redemption. Such payment shall be made by cheque payable at par at any branch of the Corporation's bankers in Canada (or, with the consent of any particular holder, by any other means of immediately available funds). If a part only of the shares represented by any certificate is redeemed a new certificate for the balance shall be issued at the expense of the Corporation. From and after the date specified for redemption in any such notice the holders of the Class A shares called for redemption shall cease to be entitled to dividends and shall not be entitled to exercise any of the rights of holders of Class A shares in respect thereof unless payment of the Redemption Amount is not made upon presentation of certificates in accordance with the foregoing provisions, in which case the rights of the holders of the said Class A shares shall remain unaffected. The Corporation shall have the right at any time after the mailing (or delivery, as the case may be) of notice of its intention to redeem any Class A shares to deposit the Redemption Amount of the shares so called for redemption or of such of the said shares represented by certificates as have

not at the date of such deposit been surrendered by the holders thereof in connection with such redemption to a special account in any chartered bank or in any trust company in Canada, named in such notice, to be paid without interest to or to the order of the respective holders of such Class A shares called for redemption upon presentation and surrender to such bank or trust company of the certificates representing the same, and upon such deposit being made or upon the date specified for redemption in such notice, whichever is the later, the Class A shares in respect whereof such deposit shall have been made shall be redeemed and the rights of the holders thereof after such deposit or such redemption date, as the case may be, shall be limited to receiving, subject as hereinafter provided, without interest their proportionate part of the total Redemption Amount so deposited against presentation and surrender of the said certificates held by them respectively and any interest allowed on such deposit shall belong to the Corporation.

- (vi) Idem: If any taxing authority having jurisdiction alleges that the Redemption Price per Class A share is not the fair market value of the assets received by the Corporation in respect of which the Class A shares are issued less liabilities assumed on such transfer of assets to the Corporation divided by the number of Class A shares issued, or proposes to make an assessment of tax on the basis that any gift, benefit or advantage is or has been conferred on any person by reason of the issue of Class A shares or of the redemption or purchase for cancellation or otherwise of any Class A share, the board of directors of the Corporation, after consultation with such taxing authority, may adjust the Redemption Price per Class A share to such other amount as may be determined by the board of directors of the Corporation after such consultation and thereafter the Redemption Price per Class A share shall mean the amount so adjusted.
- (vii) Idem: In the event that the Redemption Price per Class A share is increased pursuant to clause 7(1)(vi) hereof following a redemption or purchase for cancellation or otherwise of a Class A share, the Corporation shall pay to each holder of Class A shares whose shares were redeemed or purchased for cancellation or otherwise, by way of an increase in the Redemption Price of such Class A shares, an amount equal to the product of the increase in value per Class A share determined pursuant to clause 7(1)(vi) hereof multiplied by the number of shares of such holder so redeemed or purchased for cancellation or otherwise and an amount equal to 10% per annum of such increase, compounded annually, computed from the date of the redemption or purchase for cancellation or otherwise up to and including the date of such payment by the Corporation.
- (viii) Idem: In the event that the Redemption Price per Class A share is decreased pursuant to clause 7(1)(vi) hereof following a redemption or purchase for

cancellation or otherwise of a Class A share, each person whose Class A share was redeemed or purchased for cancellation or otherwise shall be liable to pay the Corporation, by way of a reduction of the Redemption Price of such Class A shares, an amount equal to the product of the decrease in value per Class A share determined pursuant to clause 7(1)(vi) hereof multiplied by the number of shares of such holder so redeemed or purchased for cancellation or otherwise and an amount equal to 10% per annum of such decrease, compounded annually, computed from the date of the redemption or purchase for cancellation or otherwise up to and including the date of such payment by each such person.

- (ix) Redemption at Option of Holder: A holder of Class A shares shall be entitled to require the Corporation to redeem, subject to the requirements of the *Canada Business Corporations Act* as now enacted or as the same may from time to time be amended, re-enacted or replaced, at any time or times all or any of the Class A shares held by such holder by tendering to the Corporation at its registered office a share certificate or certificates representing the Class A shares which the holder desires to have the Corporation redeem together with a request in writing specifying (i) that the holder desires to have the Class A shares represented by such certificate or certificates redeemed by the Corporation and, if part only of the shares represented by such certificate or certificates is to be redeemed, the number thereof so to be redeemed and (ii) the business day (herein referred to as the "Redemption Date") on which the holder desires to have the Corporation redeem such Class A shares. The Redemption Date shall be not less than 30 days (or such shorter period to which the Corporation may consent) after the day on which the request in writing is given to the Corporation. Upon receipt of a share certificate or certificates representing the Class A shares which the holder desires to have the Corporation redeem together with such a request the Corporation shall on the Redemption Date redeem such Class A shares by paying to such holder the Redemption Amount for each such Class A share being redeemed. Such payment shall be made by cheque payable at par at any branch of the Corporation's bankers for the time being in Canada (or, with the consent of the holder, by any other means of immediately available funds). If a part only of the shares represented by any certificate is redeemed a new certificate for the balance shall be issued at the expense of the Corporation. The said Class A shares shall be redeemed on the Redemption Date and from and after the Redemption Date the holder of such shares shall cease to be entitled to dividends and shall not be entitled to exercise any of the rights of a holder of Class A shares in respect thereof unless payment of the Redemption Amount is not made on the Redemption Date, in which event the rights of the holder of the said Class A shares shall remain unaffected.

(x) Idem: If a holder of Class A shares shall have required the Corporation pursuant to the provisions of clause 7(1)(ix) hereof to redeem all or any of the Class A shares held by such holder and the Corporation cannot redeem the said Class A shares on the Redemption Date without thereby contravening the *Canada Business Corporations Act* as now enacted or as the same may from time to time be amended, re-enacted or replaced, the Corporation shall redeem the said Class A shares as soon as it is lawfully able to do so and until the said Class A shares are so redeemed the rights of the holder thereof shall remain unaffected, provided that the said holder may at any time by notice in writing tendered to the Corporation at its registered office withdraw the request that the said Class A shares be redeemed in which event the Corporation shall return to the said holder the share certificate or certificates representing the said Class A shares which had been tendered to the Corporation.

b) An unlimited number of Class B Redeemable Preferred Shares which shall have attached thereto the following rights, privileges, restrictions and conditions:

(i) The holders of the Class B Redeemable Preferred Shares shall in each fiscal year of the Corporation in the discretion of the directors, but always in preference and priority to any payment of dividends on the common shares for such year, be entitled out of any or all profits or surplus available for the payment of dividends, to non-cumulative dividends at the rate of \$50 per share per annum; if in any fiscal year, after providing for the full dividend on the Class B Redeemable Preferred Shares, there shall remain any profits or surplus available for the payment of dividends, such profits or surplus or any part thereof may, in the discretion of the directors, be applied to dividends on the common shares; the holders of Class B Redeemable Preferred Shares shall not be entitled to any dividend other than or in excess of the non-cumulative dividends at the rate of \$50 per share per annum hereinbefore provided for.

(ii) The Corporation may, upon giving notice as herein provided, redeem the whole or any part of the Class B Redeemable Preferred Shares on payment for each share to be redeemed of an amount per share of \$1,000 together with all dividends declared thereon and unpaid (herein referred to as the "redemption amount" of each Class B Redeemable Preferred Share); unless waived by the holders of the Class B Redeemable Preferred Shares, not less than 30 days' notice in writing of such redemption shall be given by mailing such notice to the registered holders of the shares to be redeemed, specifying the date and place or places of redemption; if notice of any such redemption be given by the Corporation in the manner aforesaid and the redemption amount of each Class B Redeemable Preferred Share be deposited with any trust company or chartered bank in Canada, as

specified in the notice, on or before the date fixed for redemption, dividends on the Class B Redeemable Preferred Shares to be redeemed shall cease after the date so fixed for redemption, and the holders thereof shall thereafter have no rights against the Corporation in respect thereof except, upon the surrender of certificates for such shares, to receive payment therefor out of the moneys so deposited.

- (iii) The Class B Redeemable Preferred Shares shall rank, as regards payment of redemption amount, in priority to the common shares of the Corporation but shall not confer any further right to participate in profits or assets.
 - (iv) In the event of liquidation, dissolution or winding-up of the Corporation, whether voluntary or involuntary, the holders of the Class B Redeemable Preferred Shares shall be entitled to receive, before any distribution of any part of the assets of the Corporation among the holders of the common shares of the Corporation, an amount per share equal to the redemption amount of each Class B Redeemable Preferred Share, and no more.
 - (v) Subject to the provisions of the Act, the holders of the Class B Redeemable Preferred Shares shall not be entitled to vote at any meeting of shareholders of the Corporation.
- c) An unlimited number of common shares which shall have attached thereto the following rights, privileges, restrictions and conditions:
- (i) Subject to the rights of the holders of the Class A Shares and Class B Redeemable Preferred Shares, the holders of the common shares shall be entitled to receive any dividend declared by the directors on the common shares.
 - (ii) Subject to the rights of the holders of the Class A Shares and Class B Redeemable Preferred Shares, the holders of the common shares shall be entitled to receive the remaining property of the Corporation on dissolution.
 - (iii) The holders of the common shares shall be entitled to receive notice of and to attend and shall be entitled to one vote at any meeting of the shareholders of the Corporation for each common share held, except meetings at which only holders of a specified class of shares other than common shares are entitled to vote separately as a class.

SCHEDULE 2

(Other Provisions)

- (1) The number of shareholders, exclusive of persons who are in the employment of the corporation and exclusive of persons who, having been formerly in the employment of the Corporation, were, while in that employment and continued after the termination of that employment to be shareholders of the Corporation, is limited to not more than 50, two or more persons who are the joint registered owners of one or more shares being counted as one shareholder.
- (2) The board of directors may from time to time, in such amounts and on such terms as it deems expedient:
 - (a) borrow money on the credit of the Corporation,
 - (b) issue, reissue, sell or pledge debt obligations (secured or unsecured) of the Corporation,
 - (c) give a guarantee on behalf of the Corporation to secure performance of an obligation of any person or body corporate, and
 - (d) charge, mortgage, hypothecate, pledge or cede and transfer or otherwise create a security interest in all or any of the currently owned or subsequently acquired real or personal, movable or immovable, property of the Corporation, including book debts, rights, powers, franchises and undertakings, to secure any debt obligations or any money borrowed or other debt or liability of the Corporation,

and may from time to time delegate to such one or more of the directors and officers of the Corporation as may be designated by the board all or any of the powers conferred on the board pursuant to this Section 7 to such extent and in such manner as the board of directors shall determine at the time of each such delegation.

SCHEDULE 3

Name of Amalgamating Corporations	Corporation No.	Signature	Date	Description of office
ICI Canada Inc.	241660-3	G.L. Shear	Dec 18/91	Secretary
CXA Ltd./CXA Ltée	35016-8	G.L. Shear	Dec 18/91	Secretary/ Treasurer
2779595 Canada Inc.	277959-5	Geor P. Richard	13/12/91	DIRECTOR
2779609 Canada Inc.	277960-9	Geor P. Richard	13/12/91	DIRECTOR
Continental Explosives Ltd.	182221-7-M	[Signature]	18/12/91	Director
2779234 Canada Inc.	277923-4	G. Barnett	Dec 18/91	Director
Nuwest Explosives Inc.	194339-1-R	G. Barnett	Dec 18/91	Director
Explonor Inc.	185128-4-M	[Signature]	18/12/91	President
ICI Resins Canada Inc./ ICI Résins Canada Inc.	218484-2	G.L. Shear	Dec 18/91	Secretary