

02-29-2000

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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

*MLB  
2-1-2000*

101279086

PATENTS ONLY

FEB -1 PM 3: 25

To the Honorable Assistant Commissioner  
for Patents: **OPPORTINANCE**  
Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
**Hardy Construction Technology, L.L.C.**  
Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party(ies):  
Name: **Hardy Construction Products, L.L.C.**  
Internal Address: **P.O. Box 890699**

3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Street Address: \_\_\_\_\_  
City: **Houston** State: **TX** Zip: **77289-0669**  
Additional name(s) & address(es) attached?  Yes  No

Execution Date: **December 23, 1997**

4. Application number(s) or patent number(s):  
If this document is being filed together with a new application, the execution date of the application is:  
A. Patent Application No(s):  
**08/649,051**

B. Patent No(s):  
**5,893,252**

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: **Douglas W. Rommelmann**  
Internal Address: **AKIN, GUMP, STRAUSS,  
HAUER & FELD, L.L.P.**  
Street Address: **711 Louisiana Street  
Suite 1900 South**  
City: **Houston** State: **TX** Zip: **77002**

6. Total number of applications and patents involved: ..... **2**

7. Total fee (37 C.F.R. § 3.41) ..... \$ **80.00**  
 Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number:  
**16-2435**  
(Attach duplicate copy of this page if paying by deposit account)

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.

*Douglas W. Rommelmann*  
\_\_\_\_\_  
Douglas W. Rommelmann, Reg. No. 34,418

**1/28/00**  
\_\_\_\_\_  
Date

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

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The State of Texas

Secretary of State

DEC. 23, 1997

BROWN MCCARROLL - RICK MOLINA  
1300 WORTHAM TOWER, 2727 ALLEN PARKWAY  
HOUSTON TX 77019

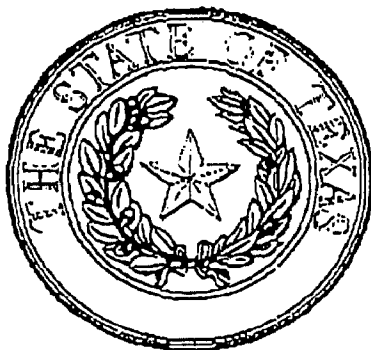
RE:  
HARDY CONSTRUCTION PRODUCTS, L.L.C.  
FILING NUMBER 07018299-22

IT HAS BEEN OUR PLEASURE TO APPROVE AND PLACE ON RECORD YOUR ARTICLES OF AMENDMENT.

THE APPROPRIATE EVIDENCE IS ATTACHED FOR YOUR FILES AND THE ORIGINAL HAS BEEN FILED IN THIS OFFICE.

PAYMENT OF THE FILING FEE IS ACKNOWLEDGED BY THIS LETTER.

IF WE CAN BE OF FURTHER SERVICE AT ANY TIME, PLEASE LET US KNOW.



A handwritten signature in black ink, appearing to read "Alberto R. Gonzales".

Alberto R. Gonzales, Secretary of State



The State of Texas  
Secretary of State

CERTIFICATE OF AMENDMENT

FOR

HARDY CONSTRUCTION PRODUCTS, L.L.C.

FORMERLY

HARDY CONSTRUCTION TECHNOLOGY, L.L.C.

CHARTER NUMBER 07018299

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS,  
HEREBY CERTIFIES THAT THE ATTACHED ARTICLES OF AMENDMENT FOR THE ABOVE  
NAMED ENTITY HAVE BEEN RECEIVED IN THIS OFFICE AND ARE FOUND TO  
CONFORM TO LAW.

ACCORDINGLY THE UNDERSIGNED, AS SECRETARY OF STATE, AND BY VIRTUE  
OF THE AUTHORITY VESTED IN THE SECRETARY BY LAW, HEREBY ISSUES THIS  
CERTIFICATE OF AMENOMENT.

DATED DEC. 23, 1997

EFFECTIVE DEC. 23, 1997



*Alberto R. Gonzalez*  
Alberto R. Gonzalez, Secretary of State

**ARTICLES OF AMENDMENT  
TO THE  
ARTICLES OF ORGANIZATION**

Pursuant to the provisions of article 3.06 of the Texas Limited Liability Company Act, the undersigned company adopts the following articles of amendment to its articles of organization:

**ARTICLE ONE**

The name of the limited liability company is Hardy Construction Technology, L.L.C.

**ARTICLE TWO**

This amendment alters or changes Article I of the original articles of organization and the full text of the provision altered is as follows:

The name of the limited liability company is Hardy Construction Products, L.L.C. ("Company").

**ARTICLE THREE**

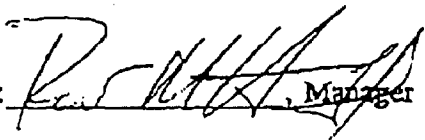
The following amendment to the articles of organization was adopted on November 6, 1997.

**ARTICLE FOUR**

The amendment was approved in accordance with Section D of article 2.23 of the Texas Limited Liability Act or as otherwise provided in the articles of organization or regulations.

Dated: November 6, 1997.

Hardy Construction Products, L.L.C.

By:  , Manager

HOU:116693.1  
30739.1

**WRITTEN CONSENT OF MANAGERS IN  
LIEU OF SPECIAL MEETING**

July 16, 1997

The undersigned, constituting all the Managers of Hardy Construction Technology, L.L.C., a Texas limited liability company (the "Company"), acting by written consent pursuant to the provisions of the Texas Limited Liability Company Act (the "Act"), do hereby consent to and approve and adopt the following resolutions in lieu of a meeting as of the above date:

1. **RESOLVED**, that the name of the Company be changed from Hardy Construction Technology, L.L.C. to Hardy Construction Products, L.L.C.; and


**FURTHER RESOLVED**, that the officers of the Corporation hereby authorize to take such action as in their sole discretion are necessary or appropriate to effectuate the name change and the issuance of membership units with the correct Company name.


2. **RESOLVED**, that certain transfers have taken place concerning the membership units of the Company and following these transfers the Managers recognize the units of the Company are held as follows:

<u>Name</u>	<u>Number of Units</u>
Robert M. Hardy, Jr.	600
Nicol Family Partnership	300
Lou Waters	100

3. **RESOLVED**, that ~~Norm~~ <sup>NORMAND G.</sup> Oldham is hereby elected as Secretary of the Corporation to serve until his successor is elected and qualified unless he shall sooner resign or be removed in accordance with the Regulations or the Act.

**EXECUTED** effective as of the date herein first above written.

  
\_\_\_\_\_  
Lee T. Nicol, Manager

  
\_\_\_\_\_  
Robert M. Hardy, Jr, Manager

HOU:109755.1  
30739.1