

06-22-2000

U.S. Department of Commerce
Patent and Trademark Office
PATENT



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5.30.00

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

☒ New
☐ Resubmission (Non-Recordation)
Document ID#
☐ Correction of PTO Error
Reel # Frame #
☐ Corrective Document
Reel # Frame #

Conveyance Type

☐ Assignment ☐ Security Agreement
☐ License ☐ Change of Name
☒ Merger ☐ Other
U.S. Government
(For Use ONLY by U.S. Government Agencies)
☐ Departmental File ☐ Secret File

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached
Execution Date
Month Day Year
12 29 99

Name (line 1)
Name (line 2)
Second Party
Name (line 1)
Name (line 2)

Execution Date
Month Day Year

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1)
Name (line 2)
Address (line 1)
Address (line 2)
Address (line 3)
City State/Country Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name
Address (line 1)
Address (line 2)
Address (line 3)
Address (line 4)

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

PATENT
REEL: 010881 FRAME: 0076

Correspondent Name and Address

Area Code and Telephone Number **(205) 328-0480**

Name **Matthew W. Barnes**

Address (line 1) **Berkowitz, Lefkovits, Isom & Kushner**

Address (line 2) **420 North 20th Street, Suite 1600**

Address (line 3) **Birmingham, Alabama 35203**

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments. #

Application Number(s) or Patent Number(s)

☒ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

4407216	4503799	4589365
4520747	4583480	4421150
4227272	4681060	5039297

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number only if a U.S. Application Number has not been assigned.

PCT		PCT		PCT	
PCT		PCT		PCT	

Number of Properties

Enter the total number of properties involved. # **30**

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ **1,200.00**

Method of Payment:
Deposit Account

Enclosed ☒ Deposit Account ☐

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes ☐ No ☐

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. Charges to deposit account are authorized, as indicated herein.

Matthew W. Barnes

Name of Person Signing


Signature

May 26, 2000
Date

RECORDATION FORM COVER SHEET
CONTINUATION
PATENTS ONLY

U.S. Department of Commerce
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PATENT

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Name (line 2)

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Patent Application Number(s)

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Patent Number(s)

4727821	4247279	4480579
4820216	4715311	4980112
5094607	5189974	5134964
5172646	5367975	4942840
4744317	4980112	5094607

RECORDATION FORM COVER SHEET
CONTINUATION
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Patent Number(s)

5189974	5134964	5172646
5367975	4942840	4744317
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State of Delaware
Office of the Secretary of State

PAGE 1

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:

"PERCEPTION, INC.", A SOUTH CAROLINA CORPORATION,
WITH AND INTO "PERCEPTION, INC." UNDER THE NAME OF
"PERCEPTION, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER
THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS
OFFICE THE TWENTY-NINTH DAY OF DECEMBER, A.D. 1999, AT 1 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. 2000.

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



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

Edward J. Freel, Secretary of State

3125413 8100M

AUTHENTICATION: 0170897

991566645

DATE: 12-29-99

PATENT
REEL: 010881 FRAME: 0080

CERTIFICATE OF MERGER
OF
PERCEPTION, INC.
(A South Carolina Corporation)
WITH AND INTO
PERCEPTION, INC.
(A Delaware Corporation)

(Under Section 252 of the General Corporation Law of Delaware)

TO THE DELAWARE SECRETARY OF STATE:

PERCEPTION, INC. hereby certifies that:

1. The name and state of incorporation of each of the constituent corporations are:
 - (a) Perception, Inc., a South Carolina corporation (the "South Carolina Corporation");
and
 - (b) Perception, Inc., a Delaware corporation (the "Delaware Corporation").
2. An Agreement and Plan of Merger has been approved, adopted, certified, executed and acknowledged by the Delaware Corporation and by the South Carolina Corporation in accordance with the provisions of subsection (c) of Section 252 of the General Corporation Law of Delaware.
3. The surviving corporation shall be the Delaware Corporation. The name of the surviving corporation shall be Perception, Inc.
4. The Certificate of Incorporation of the Delaware Corporation shall be the Certificate of Incorporation of the surviving corporation.
5. The executed Agreement and Plan of Merger is on file at the principal place of business of the Delaware Corporation at 111 Kayaker Way, Easley, South Carolina.
6. A copy of the Agreement and Plan of Merger will be furnished by the Delaware Corporation, on request and without cost, to any stockholder of the South Carolina Corporation or the Delaware Corporation.
7. The authorized capital stock of the South Carolina Corporation is 100,000 shares of Common Stock, \$1.00 par value.
8. The merger contemplated hereby shall be effective as of 12:01 a.m., Eastern Standard Time, on January 1, 2000 immediately following the merger of Dagger, Inc., a Tennessee corporation, with and into Perception, Inc., a South Carolina corporation, and the merger of

Harmony, Inc., a South Carolina corporation, with and into Harmony Paddlesports, Inc. (the "Effective Date").

IN WITNESS WHEREOF, the Delaware Corporation has executed this Certificate of Merger as of the 24 day of November, 1999.

PERCEPTION, INC.

By: _____


Kenneth V. Madren, Jr.

Its: Chief Executive Officer

State of Delaware
Office of the Secretary of State

PAGE 1

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 AMENDMENT OF "PERCEPTION, INC.", CHANGING ITS NAME FROM "PERCEPTION, INC." TO "WATERMARK PADDLESPORTS, INC.", FILED IN THIS OFFICE ON THE TWENTY-NINTH DAY OF DECEMBER, A.D. 1999, AT 1:02 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF AMENDMENT IS THE FIRST DAY OF JANUARY, A.D. 2000.

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



3125413 8100

991566696

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

Edward J. Freel, Secretary of State

AUTHENTICATION: 0170910

DATE: 12-29-99

PATENT
REEL: 010881 FRAME: 0083

CERTIFICATE OF AMENDMENT
TO
CERTIFICATE OF INCORPORATION
OF
PERCEPTION, INC.

TO THE DELAWARE SECRETARY OF STATE:

Pursuant to the provisions of Section 242 of the Delaware General Corporation Law, Perception, Inc. (the "Corporation") hereby adopts the following Certificate of Amendment to its Certificate of Incorporation:

1. The name of the Corporation is:

Perception, Inc.

2. The amendment so adopted is:

FIRST: Article 1 of the original Certificate of Incorporation is hereby amended by deleting said Article 1 in its entirety and substituting in lieu thereof the following:

1.01 The name of the Corporation is Watermark Paddlesports, Inc. (the "Corporation")

3. Except as hereinabove amended, the Certificate of Incorporation of the Corporation is continued in full force and effect.

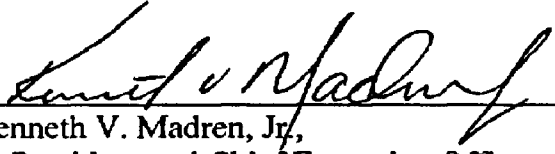
4. The number of shares of the Corporation outstanding at the time of the adoption of the amendment was One (1).

5. The foregoing Amendment to the Certificate of Incorporation of the Corporation was adopted by the sole stockholder and the sole director of the Corporation as of December 26, 1999, pursuant to Sections 141(f) and 228 of the Delaware General Corporation Law.

6. The effective time of the foregoing Amendment to the Certificate of Incorporation of the Corporation shall be 12:02 a.m., Eastern Standard Time, on January 1, 2000.

This the 20 day of December, 1999.

PERCEPTION, INC.


By: 
Kenneth V. Madren, Jr.,
Its President and Chief Executive Officer

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ACKNOWLEDGEMENT


I, Virginia Harris, Secretary of Perception, Inc. a Delaware corporation, hereby certify that Kenneth V. Madren, Jr., whose name as President and Chief Executive Office of the Corporation, is signed to the foregoing Certificate of Amendment to Certificate of Incorporation and who is known to me, acknowledged before me on this day that, being informed of the contents of the Certificate of Amendment to Certificate of Incorporation, he, in his capacity as such President and Chief Executive Officer and with full authority, executed the same voluntarily for and as the act of the Corporation on the day the same bears date.

This 20 day of December, 1999.


Virginia Harris
Secretary of Perception, Inc.
A Delaware corporation

STATE OF GEORGIA)
COUNTY OF FULTON)

Sworn to and subscribed before me this 20 day of December, 1999.


Notary Public

[NOTARIAL SEAL]

My Commission Expires: _____