

02-21-2001

Docket No.:20664/2

FORM PTO-1595 (Modified)

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



101616146  
PATENTS ONLY

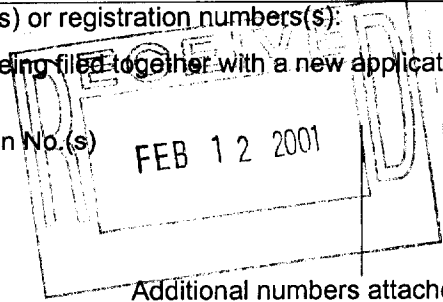
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Lucas Ledex, Inc.  
Additional names(s) of conveying party(ies)  Yes  No  
**2-12-01**

2. Name and address of receiving party(ies):  
Name: Lucas Automation and Control Engineering, Inc.  
Internal Address:  
Street Address: **801 Scholz Drive**  
City: Vandalia State: OH Zip: 45377  
Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other  
Execution Date: **July 17, 1992**

4. Application number(s) or registration numbers(s):  
If this document is being filed together with a new application, the execution date of the application is:  
A. Patent Application No.(s)  
B. Patent No.(s)  
**4,988,907, 4,847,581, 4,855,700, 5,161,083, 4,812,884**  
Additional numbers attached?  Yes  No



5. Name and address of party of whom correspondence concerning document should be mailed:  
Name: Mark S. Leonardo, Esq.  
Internal Address: **Box IP, 18<sup>th</sup> Floor  
Brown, Rudnick, Freed & Gesmer, P.C.**  
Street Address:  
**One Financial Center**  
City: Boston State: MA Zip: 02111

6. Total number of applications and patents involved: **5**  
7. Total fee (37 CFR 3.41):.....\$**200**  
 Enclosed - Any excess or insufficiency should be credited or debited to deposit account  
 Authorized to be charged to deposit account  
8. Deposit account number: **50-0369**

DO NOT USE THIS SPACE

**200E**

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.*

Mark S. Leonardo (41,433)  
Name of Person Signing

Signature

**2-8-01**  
Date

Total number of pages including cover sheet, attachments, and document: **18**

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PATENT  
REEL: 011511 FRAME: 0697

# Commonwealth of Virginia

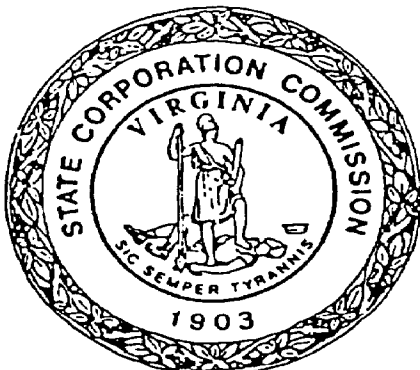


## State Corporation Commission

I Certify the Following from the Records of the Commission:

the foregoing is a true copy of the ARTICLES OF MERGER of LUCAS AUTOMATION & CONTROL ENGINEERING, INC. issued July 17, 1992.

Nothing more is hereby certified.



Signed and Sealed at Richmond  
on this Date: August 03, 1992

*William J. Bridge*

William J. Bridge, Clerk of the Commission

PATENT

REEL: 011511 FRAME: 0698

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

July 17, 1992

The State Corporation Commission has found the accompanying articles submitted on behalf of

THREE FOREIGN CORPORATIONS NOT QUALIFIED IN VA

to comply with the requirements of law. Therefore, it is ORDERED that this

CERTIFICATE OF MERGER

be issued and admitted to record with the articles in the office of the Clerk of the Commission.


THREE FOREIGN CORPORATIONS NOT QUALIFIED IN VA

are merged into LUCAS AUTOMATION & CONTROL ENGINEERING, INC., which will continue to be a corporation existing under the laws of the State of VIRGINIA with the corporate name LUCAS AUTOMATION & CONTROL ENGINEERING, INC.. The existence of all non-surviving corporations will cease, according to the plan of merger.

The certificate is effective on July 17, 1992.

STATE CORPORATION COMMISSION

By



Commissioner

MERGACPT  
CIS20436  
92-07-16-0128

ARTICLES OF MERGER

OF

LUCAS DEECO CORP. *not done.*  
(a California corporation)

AND

LUCAS DURALITH CORPORATION *not done.*  
(a New Jersey corporation)

AND

LUCAS LEDEX, INC. *not done.*  
(an Ohio corporation)

INTO

LUCAS AUTOMATION & CONTROL ENGINEERING, INC *0116834-3*  
(a Virginia corporation)

The undersigned corporations, pursuant to Title 13.1, Chap. 9, Art.12 of the Code of Virginia, hereby executes the following articles of merger and sets forth:

ONE

Annexed hereto and made a part hereof is the Agreement and Plan of Merger for merging Lucas DEECO Corp, a California corporation ("Corporation A"), Lucas Duralith Corporation, a New Jersey Corporation ("Corporation B"), Lucas Ledex, Inc., an Ohio corporation ("Corporation C") with and into Lucas Automation & Control Engineering, Inc., a Virginia corporation ("Corporation D").

TWO

The Agreement and Plan of Merger was submitted to the shareholders by the board of directors in accordance with the provisions of Chapter 9 of Title 13.1 of the Code of Virginia, and:

## AGREEMENT AND PLAN OF MERGER

AGREEMENT AND PLAN OF MERGER dated July 10, 1992 among Lucas DEECO Corp., a California corporation ("Corporation A"), Lucas Duralith Corporation, a New Jersey corporation ("Corporation B"), Lucas Ledex, Inc., an Ohio corporation ("Corporation C") and Lucas Automation & Control Engineering, Inc., a Virginia corporation ("Corporation D").

The respective Boards of Directors of Corporations A, B, C and D deem it advisable and in the best interests of their corporations and the shareholders of each of their respective corporations that Corporations A, B and C be merged with and into Corporation D as provided herein (the "Merger") pursuant to the General Corporation Law of the State of California, Section 14A:10-7 of the New Jersey Business Corporation Act, Chapter 1701 of the Revised Code of Ohio, and Title 13.1, Chapter 9, Article 12 of the Code of Virginia, respectively and in accordance with Section 368(a)(1)(A) of the Internal Revenue Code of 1986.

Corporation A was incorporated in the State of California on November 4, 1982. Its authorized capital stock consists of 1,000,000 shares of Common Stock, no par value, and 500,000 shares of Preferred Stock, no par value. As of the date hereof, Corporation A has issued and outstanding 100 shares of Common Stock and -0- shares of Preferred Stock, each of which was entitled to vote on the Merger together as one class.

Corporation B was incorporated in the State of New Jersey on February 2, 1979. Its authorized capital stock consists of 1,000 shares of Common Stock, \$1 par value. As of the date hereof, Corporation B has issued and outstanding 1,000 shares of Common Stock, each of which was entitled to vote on the Merger.

Corporation C was incorporated in the State of Ohio on January 2, 1947. Its authorized capital stock consists of 100,000 shares of Common Stock, without par value. As of the date hereof, Corporation C has issued and outstanding 41,121 shares of Common Stock, each of which was entitled to vote on the Merger.

Corporation D was incorporated in the State of Virginia on June 20, 1968. Its authorized capital stock consists of 1700 shares of Class A stock and 300 shares of Class B stock, \$100 par value. As of the date hereof, Corporation D has issued and outstanding 850 Class A shares of Common Stock, each of which was entitled to vote on the merger.

It is, therefore, agreed as follows:

1. As soon as practicable after this Agreement and Plan of Merger (the "Agreement") has been approved by the directors and shareholders of Corporations A, B, C, and D it shall be certified, signed and acknowledged in accordance with the laws of the States of California, New Jersey, Ohio and Virginia. The proper officers of Corporations A, B, C and D shall then prepare, execute and deliver this Agreement and Plan of Merger to the California Secretary of State, Certificate of Merger to the New Jersey Secretary of State, Agreement of Merger and Certificate to the Ohio Secretary of State and Articles of Merger to the Commonwealth of Virginia State Corporation Commission. The term "Effective Date" as used herein shall be mean July 31, 1992.

2. On the Effective Date, Corporations A, B and C shall be merged with and into Corporation D and the separate corporate existence of Corporations A, B and C shall cease. Corporation D shall be the surviving corporation, under its present name, and shall continue to be governed by the laws of the State of Virginia.

3. The Articles of Incorporation of Corporation D as in effect on the Effective Date shall continue as the Articles of Incorporation of the surviving corporation. The By-laws of Corporation D as in effect on the Effective Date shall continue as the By-laws of the surviving corporation. The officers and directors of Corporation D in office on the Effective Date shall continue to hold their respective positions with the surviving corporation.

4. Each share of Common Stock and Preferred Stock of Corporation A that is issued and outstanding on the Effective Date shall, by virtue of the Merger and without any action on the part of any holder thereof, be canceled. On the Effective Date, the stock transfer books of Corporation A shall be closed and no transfer of Common Stock or Preferred Stock of Corporation A shall thereafter be made.

5. Each share of Common Stock of Corporation B that is issued and outstanding on the Effective Date shall, by virtue of the Merger and without any action on the part of any holder thereof, shall be canceled. On the Effective Date, the stock transfer books of Corporation B shall be closed and no transfer of Common Stock of Corporation B shall thereafter be made.

6. Each share of Common Stock of Corporation C that is issued and outstanding on the Effective Date shall, by virtue of the Merger and without any action on the part of any holder thereof, shall be canceled. On the Effective Date, the stock transfer books of Corporation C shall be closed and no transfer of Common Stock of Corporation C shall thereafter be made.

7. Each share of Common Stock of Corporation D that is issued and outstanding on the Effective Date shall be unaffected by the Merger and shall continue to represent one issued and outstanding share of Common Stock of Corporation D, as the surviving corporation.

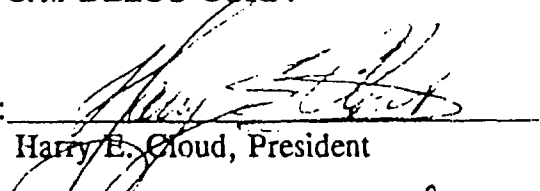
8. The purpose of Corporation D is to engage in any lawful act or activity for which corporations may be organized under the Code of Virginia.

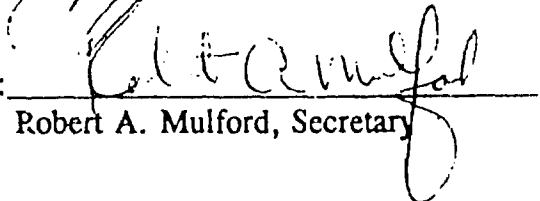
9. Corporation D agrees that it may be served with process in the State of New Jersey and the State of Ohio in any proceeding for enforcement of any obligation of Corporation B and C respectively, as well as for enforcement of any obligation of the surviving corporation arising from the Merger, and it does hereby irrevocably appoint the Secretary of State of the State of New Jersey and the Secretary of the State of Ohio as its agent to accept service of process in any such suit or other proceeding. The address to which a copy of such process shall be mailed by the Secretary of State of the State of New Jersey and the Secretary of State of the State of Ohio is: Lucas Industries Inc., 11180 Sunrise Valley Drive, 3rd Floor, Attention: Legal Dept., Reston, VA 22091-4399 until the surviving corporation shall have hereafter designated in writing to the Secretary of State a different address for such purpose.

10. This Agreement may be executed in counterparts, each of which when so executed shall be deemed to be an original and such counterparts shall together constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties have duly executed this Agreement and Plan of Merger as of the date first written above.

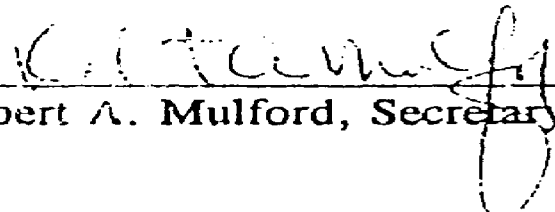
LUCAS DEECO CORP.

By:   
Harry E. Cloud, President

By:   
Robert A. Mulford, Secretary

LUCAS DURALITH CORPORATION

By:   
Harry E. Cloud, President

By:   
Robert A. Mulford, Secretary

LUCAS LEDEX, INC.

By: \_\_\_\_\_  
Louis J. Oliverio, Vice President

By: \_\_\_\_\_  
James M. Zigel, Secretary

LUCAS AUTOMATION & CONTROL  
ENGINEERING, INC.

By: \_\_\_\_\_  
John Berkenkamp, President

By: \_\_\_\_\_  
James M. Zigel, Secretary



The designation, number of outstanding shares, and number of votes entitled to be cast by each group entitled to vote separately on the Agreement and Plan of Merger were:

<u>Designation</u>	<u>No. of Outstanding Shares</u>	<u>No. of Votes</u>
Corporation A-Common	100	100
Corporation B-Common	1,000	1,000
Corporation C-Common	41,121	41,121
Corporation D Class A--Common	850	850

The total number of votes cast for and against the Agreement and Plan of Merger by each voting group entitled to vote separately on the plan were:

<u>Voting Group</u>	<u>Total No. of Votes Cast FOR Plan</u>	<u>Total No. of Votes Cast AGAINST the Plan</u>
Corporation A-Common	100	-0-
Corporation B-Common	1,000	-0-
Corporation C-Common	41,121	-0-
Corporation D-Common	850	-0-

FOUR

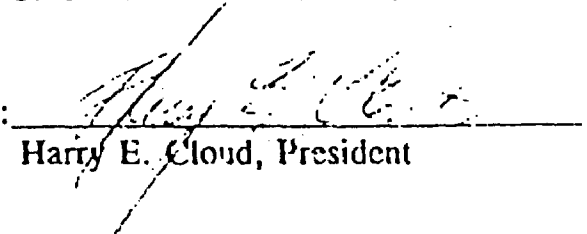
The Articles of Merger shall become effective at 9:00 a.m on July 31, 1992.

The undersigned Harry E. Cloud, President of Corporation A and Corporation B, Louis J. Oliverio, Vice president of Corporation C, and John Berkenkamp, President of Corporation D, declares that the facts herein stated are true as of JULY 10, 1992.

LUCAS DEECO CORP.

By:   
Harry E. Cloud, President

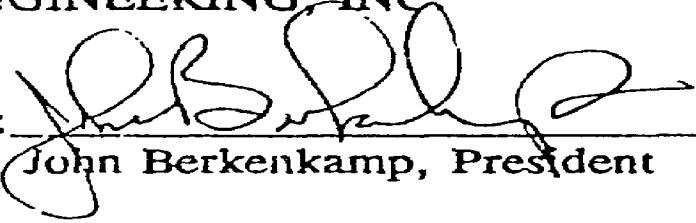
LUCAS DURALITH CORPORATION

By:   
Harry E. Cloud, President

LUCAS LEDEX, INC.

By: \_\_\_\_\_  
Louis J. Oliverio, Vice President

LUCAS AUTOMATION & CONTROL  
ENGINEERING, INC

By:  \_\_\_\_\_  
John Berkenkamp, President

LUCAS LEDEX, INC.

By: Louis J. Oliverio  
Louis J. Oliverio, Vice President

LUCAS AUTOMATION & CONTROL  
ENGINEERING, INC.

By: \_\_\_\_\_  
John Berkenkamp, President

LUCAS DURALITH CORPORATION

By: \_\_\_\_\_  
Harry E. Cloud, President

By: \_\_\_\_\_  
Robert A. Mulford, Secretary

LUCAS LEDEX, INC.

By: Louis J. Oliveira  
Louis J. Oliveira, Vice President

By: \_\_\_\_\_  
James M. Zigel, Secretary

LUCAS AUTOMATION & CONTROL  
ENGINEERING, INC.

By: \_\_\_\_\_  
John Berkenkamp, President

By: \_\_\_\_\_  
James M. Zigel, Secretary

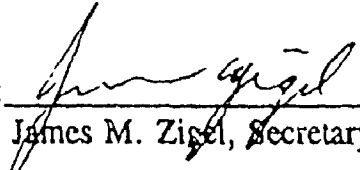
LUCAS DURALITH CORPORATION

By: \_\_\_\_\_  
Harry E. Cloud, President

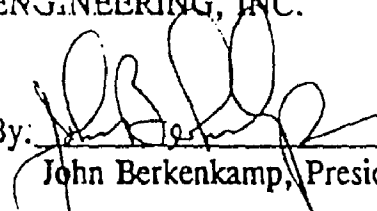
By: \_\_\_\_\_  
Robert A. Mulford, Secretary

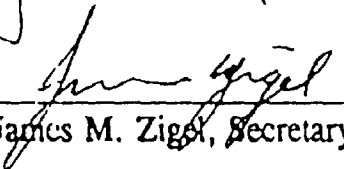
LUCAS LEDEX, INC.

By: \_\_\_\_\_  
Louis J. Oliverio, Vice President

By:  \_\_\_\_\_  
James M. Zigel, Secretary

LUCAS AUTOMATION & CONTROL  
ENGINEERING, INC.

By:  \_\_\_\_\_  
John Berkenkamp, President

By:  \_\_\_\_\_  
James M. Zigel, Secretary

STATE OF VIRGINIA )  
 ) SS.:  
COUNTY OF FAIRFAX )

I, a Notary Public in and for the State and County aforesaid, do certify that James M. Zigel, whose name as Secretary is signed to the writing above, bearing date on the 17th day of July, 1992, has acknowledged the same before me in the County aforesaid.

GIVEN under my hand and official seal this 17th day of July, 1992.

My term of office expires on the 31st day of October, 1993.

Denise Johnson\*  
Notary Public

*I was commissioned a notary Denise J. Lowery*

In the Clerk's Office of the Circuit Court of the City of Hampton, Virginia August 7  
A.D. 1992 at 2:57 PM The foregoing instrument was this day presented in office  
and upon certificate thereto annexed, admitted to record as the law directs.

Teste: Juanita F. Gupton, Clerk

BY Jinda Batchelor  
Dep. Clerk

A COPY, TESTE

JUANITA F. GUPTON, CLERK

BY Jinda Batchelor  
DEP. CLERK

ASSUMED NAME CERTIFICATE

Pursuant to Sections 59.1-69 and  
59.1-70 of the Code of Virginia

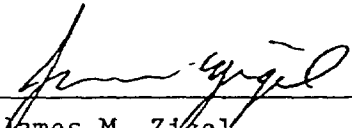
It is hereby certified that:

1. The name of the undersigned corporation is Lucas Automation & Control Engineering, Inc.
2. The undersigned corporation was incorporated under the laws of the Commonwealth of Virginia, and is authorized to transact business in the said Commonwealth.
3. The undersigned corporation intends to transact business at 1000 Lucas Way, Hampton, Virginia under the assumed or fictitious name Lucas Control Systems Products.

Signed on July 17 , 1992.

LUCAS AUTOMATION & CONTROL ENGINEERING, INC.

By: \_\_\_\_\_

  
James M. Zigel  
Secretary

COMMONWEALTH OF VIRGINIA



HL

(114-0-025 1091)

OFFICIAL RECEIPT  
HAMPTON CIRCUIT COURT

DATE: 02/07/82 TIME: 14:57:40 ACCOUNT: 55000798 RECEIPT: 92000022227  
 CASHIER: LLB REG: HPOS TYPE: FULL PAYMENT  
 ACCT OF: LUCAS AUTOMATION & CONTROL, ETC ACCT: PRENTICE HALL LEGAL, ETC.  
 CHECK: \$10.25  
 DESCRIPTION 1: ASSUMED NAME CERTIFICATE  
 2: RE: LUCAS AUTOMATION & CONTROL ENGINEERING, INC.  
 CODE DESCRIPTION PAID CODE DESCRIPTION PAID  
 375 MISC. FEES & COMM. 10.25

TENDERED : 10.25  
 AMOUNT PAID: 10.25  
 CHANGE AMT : .00

CLERK OF COURT: JUANITA F. SUTTON

DC-18 (4/82)



**LUCAS AUTOMATION & CONTROL ENGINEERING, INC.**

**JOINT ACTION OF THE SOLE SHAREHOLDER AND  
BOARD OF DIRECTORS WITHOUT A MEETING**

The undersigned, being the Sole Shareholder together with the Board of Directors of Lucas Automation & Control Engineering, Inc., a Virginia corporation (the "Corporation"), in lieu of a meeting of the Shareholder and Board of Directors of the Corporation and acting pursuant to the Virginia Stock Corporation Act and the Bylaws of the Corporation, do hereby consent to the adoption of the following resolution:

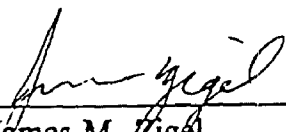
WHEREAS, it has been determined by the Shareholder and Board of Directors of this Corporation to be in the best interest of this Corporation to merge Lucas DEECO Corp., a California corporation ("DEECO"), Lucas Duralith Corporation, a New Jersey corporation ("Duralith"), and Lucas Ledex, Inc., an Ohio corporation ("Ledex") with and into this Corporation effective July 31, 1992.

RESOLVED, that DEECO, Duralith, and Ledex corporations be merged with and into this Corporation effective July 31, 1992 and that all officers and agents of the Corporation be, and hereby are, authorized and directed to cause such merger to be effective and to do any and all further steps, including the execution and delivery of all documents as may be necessary to carry out the purposes of this resolution.

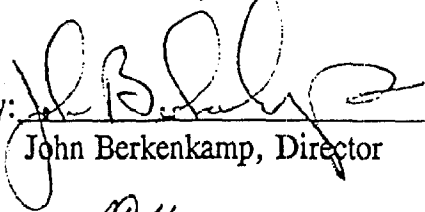
This consent may be executed in counterparts, which together shall constitute one and the same instrument.

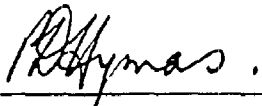
IN WITNESS WHEREOF, the undersigned have executed this consent effective as of the 9th day of June, 1992.

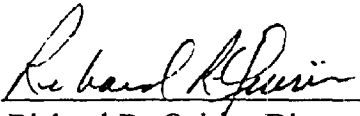
**LUCAS INDUSTRIES INC.,  
Sole Shareholder**

By:   
\_\_\_\_\_  
James M. Zigel  
Vice President

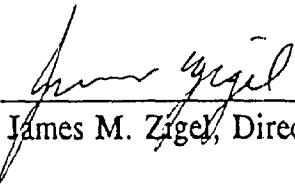
LUCAS AUTOMATION & CONTROL  
ENGINEERING, INC.

By:   
John Berkenkamp, Director

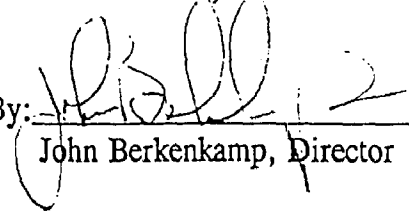
By:   
P. David Hymas, Director

By:   
Richard R. Quirin, Director


By: \_\_\_\_\_  
F. Lon Slane, Director


By:   
James M. Zigel, Director

LUCAS AUTOMATION & CONTROL  
ENGINEERING, INC.

By:   
John Berkenkamp, Director

By: \_\_\_\_\_  
P. David Hymas, Director

By:   
Richard R. Quirin, Director

By:   
F. Lon Slane, Director

By: \_\_\_\_\_  
James M. Zigel, Director