

07-18-2001



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HEET

To the Commissioner of Patents and T.

Please record the attached original documents or copies thereof.

## 1. Name of conveying party(ies):

RUBBERMAID COMMERCIAL PRODUCTS INC.

7-12-01

Additional conveying party(ies)

N/A

## 2. Name and address of receiving party(ies):

RUBBERMAID COMMERCIAL PRODUCTS LLC  
3124 VALLEY AVENUE  
WINCHESTER, VIRGINIA 22601

Additional conveying party(ies)

N/A

## 3. Nature of conveyance:

MERGER

Execution Date:

3/31/98

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

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

A. Patent Application Number(s):

B. Patent Number(s):

Des. 368,205

Additional numbers attached? NO

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

Mary Michelle Kile  
FOLEY & LARDNER  
Washington Harbour  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5109

## 6. Total number of applications/patents involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00 ✓

☒ Check Enclosed

Charge to deposit account

8. Deposit account number: 19-0741

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. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.

Mary Michelle Kile

Mary Michelle Kile

July 12, 2001

Reg. No. 35,217

Name of person signing

Signature

Date

07/17/2001 DEYME 00000070 368205

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40.00 DP

Total number of pages including cover sheet, attachments, and document: 4

*State of Delaware*  
*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:

"RUBBERMAID COMMERCIAL PRODUCTS INC.", A DELAWARE CORPORATION,

WITH AND INTO "RUBBERMAID COMMERCIAL PRODUCTS LLC" UNDER THE NAME OF "RUBBERMAID COMMERCIAL PRODUCTS LLC", A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTY-FIRST DAY OF MARCH, A.D. 1998, AT 10 O'CLOCK A.M.



A handwritten signature in cursive script, reading "Edward J. Freel", is written over a horizontal line.

*Edward J. Freel, Secretary of State*

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AUTHENTICATION:

9053900

DATE:

04-29-98

**CERTIFICATE OF MERGER  
OF  
RUBBERMAID COMMERCIAL PRODUCTS INC.  
INTO  
RUBBERMAID COMMERCIAL PRODUCTS LLC**

dated: March 31, 1998

(Under Section 264 of the General Corporation Law of the State of Delaware  
and Section 18-209 of the Delaware Limited Liability Company Act)

The undersigned limited liability company formed and existing under and by virtue of the Delaware Limited Liability Company Act, 6 Del. C. § 18-101, et seq. (the "Act"),

**DOES HEREBY CERTIFY:**

**FIRST:** The name and jurisdiction of formation or organization of each of the constituent entities which is to merge are as follows:

<u>Name</u>	<u>Jurisdiction of Formation or Organization</u>
Rubbermaid Commercial Products Inc.	Delaware
Rubbermaid Commercial Products LLC	Delaware

**SECOND:** An Agreement and Plan of Merger has been approved, adopted, certified, executed and acknowledged by each of the constituent entities in accordance with Section 264(c) of the General Corporation Law of the State of Delaware, 8 Del. C. §101, et seq. (the "GCL"), Section 18-209 of the Act and, with respect to Rubbermaid Commercial Products Inc., Section 228 of the GCL.

**THIRD:** The name of the surviving Delaware limited liability company is Rubbermaid Commercial Products LLC.


**FOURTH:** The merger of Rubbermaid Commercial Products Inc. into Rubbermaid Commercial Products LLC shall be effective upon the filing of this Certificate of Merger with the Secretary of State of the State of Delaware.

**FIFTH:** The executed Agreement and Plan of Merger is on file at a place of business of the surviving Delaware limited liability company. The address of such place of business of the surviving Delaware limited liability company is 3124 Valley Avenue, Winchester, Virginia 22601.

SIXTH: A copy of the Agreement and Plan of Merger will be furnished by the surviving Delaware limited liability company, on request and without cost, to any member of Rubbermaid Commercial Products LLC, and to any stockholder of Rubbermaid Commercial Products Inc.

**RUBBERMAID COMMERCIAL PRODUCTS LLC**

By: Rubbermaid Incorporated, its sole member

By:   
Name: MARTIN J. DEGNAN  
Title: VP, Assoc. Genl. Coun. & Asst. Genl.