

10-07-2002



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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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To the Honorable Commissioner of Patents and Trademarks

and the attached original documents or copy thereof.

1. Name of conveying party(ies):
Newmont Gold Company

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☒ Change of Name
☐ Other _____

Execution Date: **February 22, 2002**

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

Name: **Newmont USA Limited**

Internal Address: _____

Street Address: **1700 Lincoln Street, Suite 2800**City: **Denver** State: **CO** ZIP: **80203**Additional name(s) & address(es) attached? ☐ Yes ☒ No

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)

09/821,720

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: **Ross E. Breyfogle**

Internal Address: _____

Street Address: **Marsh Fischmann & Breyfogle LLP****3151 S. Vaughn Way, Suite 411**City: **Aurora** State: **CO** ZIP: **80014**6. Total number of applications and patents involved: **1**7. Total fee (37 CFR 3.41):.....\$ **40.00**☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☐ Authorized to be charged to deposit account

8. Deposit account number:

50-1419

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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.

Ross E. Breyfogle

Name of Person Signing

Signature

9/24/02

Date

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

3

PATENT

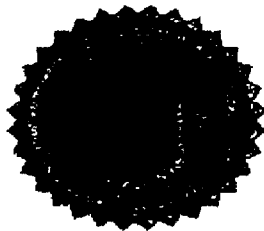
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Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, 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 "NEWMONT GOLD COMPANY", CHANGING ITS NAME FROM "NEWMONT GOLD COMPANY" TO "NEWMONT USA LIMITED", FILED IN THIS OFFICE ON THE TWENTY-SECOND DAY OF FEBRUARY, A.D. 2002, AT 12 O'CLOCK P.M.



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

0623413 8100

AUTHENTICATION: 1630437

020123245

DATE: 02-25-02

PATENT
REEL: 013347 FRAME: 0709

**CERTIFICATE OF AMENDMENT
TO THE
RESTATED CERTIFICATE OF INCORPORATION**

of
**NEWMONT GOLD COMPANY
A DELAWARE CORPORATION**

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FEB 22 12:00 PM 02/22/2002
020122404 - 0623413

Newmont Gold Company, a corporation organized and existing under the laws of the State of Delaware (the "Corporation"), does hereby certify as follows:

FIRST: That, in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware (the "DGCL"), the Board of Directors of the Corporation duly adopted resolutions setting forth a proposed amendment to the Restated Certificate of Incorporation of the Corporation (this "Amendment") and declaring this Amendment advisable.

SECOND: That this Amendment was duly approved and adopted by the sole stockholder of the issued and outstanding stock of the Corporation entitled to vote thereon in accordance with the provisions of Section 228 and Section 242 of the DGCL.

THIRD: The Restated Certificate of Incorporation of the Corporation is hereby amended by deleting Article I in its entirety and inserting in lieu thereof the following new language:

The name of the corporation (which is hereinafter referred to as the "Corporation") is:

"**Newmont USA Limited**"

FOURTH: That this Certificate of Amendment shall be effective on its filing with the Secretary of State of the State of Delaware.

IN WITNESS WHEREOF, the Corporation has caused this certificate to be signed by a duly authorized officer this 22nd day of February, 2002.

NEWMONT GOLD COMPANY

By: 
Name: Britt D. Banks
Title: Vice President and Secretary