



11-26-2002



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To the Honorable Commissioner of Patent,

102292927

attached original documents or copy thereof.

1. Name of conveying party(ies):  
**Newmont Gold Company**  
  
*11-19-02*  
  
Additional names(s) of conveying party(ies)  Yes  No

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

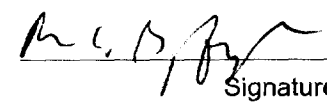
3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_  
  
Execution Date: February 22, 2002

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)  
  
5,402,991  
  
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  November 14, 2002  
Name of Person Signing Signature Date  
  
Total number of pages including cover sheet, attachments, and document: **3**

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

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

of

**NEWMONT GOLD COMPANY  
A DELAWARE CORPORATION**

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 22<sup>nd</sup> day of February, 2002.

NEWMONT GOLD COMPANY

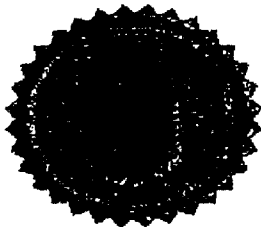
By:   
Name: Britt D. Banks  
Title: Vice President and Secretary

# Delaware

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*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

RECORDED: 11/19/2002

PATENT  
REEL: 013506 FRAME: 0711