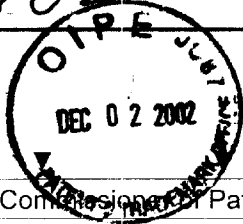


12/21/02

Docket No.: 12854-20001

FORM PTO-1595 (Modified)
(Rev. 6-93)
OMB No. 0651-0011 (exp. 4/94)
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P08/REV02



12-06-2002



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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings → → →

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

1. Name of conveying party(ies):
Newmont Mining Corporation

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

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

Execution Date: **February 15, 2002**

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

Name: **Newmont Gold Company**

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)

B. Patent No.(s)

5,458,866Additional 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

12/05/2002 LHOELLER 00000218 5458866

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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

5

Date

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

PATENT**REEL: 013542 FRAME: 0175**

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 OWNERSHIP, WHICH MERGES:

"NEWMONT GOLD COMPANY", A DELAWARE CORPORATION,

WITH AND INTO "NEWMONT MINING CORPORATION" UNDER THE NAME OF "NEWMONT GOLD COMPANY", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE FIFTEENTH DAY OF FEBRUARY, A.D. 2002, AT 9:31 O'CLOCK A.M.

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



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

0623413 B100M

AUTHENTICATION: 1615242

020101124

DATE: 02-15-02

PATENT
REEL: 013542 FRAME: 0176

FROM

(FRI) 2:15'02 9:14/ST.

STATE OF DELAWARE
9:56 AM SEP 20 2001
DIVISION OF CORPORATIONS
FILED 09:31 AM 02/15/2002
020101124 - 0623413

CERTIFICATE OF OWNERSHIP AND MERGER

MERGING

NEWMONT GOLD COMPANY

WITH AND INTO

NEWMONT MINING CORPORATION

Pursuant to Section 253 of the General
Corporation Law of the State of Delaware

Newmont Mining Corporation, a corporation organized and existing under the laws of Delaware (the "Corporation"), does hereby certify:

FIRST: That the Corporation owns all of the outstanding shares of each class of stock of Newmont Gold Company, a Delaware corporation incorporated on the 23rd day of February, 1988, pursuant to the Delaware General Corporation Law.

SECOND: That the Corporation, by the following resolutions of its Board of Directors, duly adopted at a meeting held on November 13, 2001, determined to merge into itself said Newmont Gold Company, by the adoption thereof:

RESOLVED, that the Corporation will merge, and upon the effectiveness of such merger, does merge, into itself, its wholly owned subsidiary, Newmont Gold Company, and assumes all of the obligations of Newmont Gold Company; and further

RESOLVED, that said merger shall become effective upon the filing of a Certificate of Ownership and Merger with the Secretary of State of the State of Delaware or at such other time as such Certificate of Ownership and Merger shall specify pursuant to Section 103(d) of the General Corporation Law of the State of Delaware; and further

RESOLVED, that upon effectiveness of said merger, the name of the Corporation shall be changed to "Newmont Gold Company" and Article First of the Restated Certificate of Incorporation of the Corporation shall be amended to read as follows:

W/832967v2

"First: The name of this Corporation is Newmont Gold Company."

RESOLVED, that except for the foregoing amendment to Article First, said Restated Certificate of Incorporation shall remain unchanged by the merger and in full force and effect until further amended in accordance with the Delaware General Corporation Law; and further

RESOLVED, that the proper officers of the Corporation be, and they hereby are, directed to make and execute a Certificate of Ownership and Merger setting forth a copy of the resolutions to so merge Newmont Gold Company and to assume its obligations and the date of adoption thereof, and to cause the same to be filed with the Secretary of State of the State of Delaware and to do all acts and things whatsoever, whether within or without the State of Delaware, which may be necessary or proper to effect said merger and change of name.

THIRD: That this Certificate of Ownership and Merger shall be effective on its filing with the Secretary of State of the State of Delaware.

FROM

(FRI) 2:15'02 9:15/ST. 9:06/NO. 4861863941 P 22

IN WITNESS WHEREOF, the Corporation has caused this certificate to be signed by a duly authorized officer this 15th day of February, 2002.

NEWMONT MINING CORPORATION

By: 

Name: Britt D. Banks

Title: Vice President, General Counsel
and Secretary