

03-19-2003

Docket No. 10022US02  
10022US03



Form PTO-1595  
(Rev. 03/01)

RECORDED

102393244

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

3-17-03 PATENTS ONLY

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

1. Name of conveying party(ies):

Eco-Pallet Group, Ltd.

Additional name(s) of conveying party(ies) attached?  Yes  No

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

Excalibur Pallet Group, Ltd.  
550 Frontage Rd.  
Suite 2630  
Northfield, IL 60093

Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Other: \_\_\_\_\_

Execution Date: March 29, 1999

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

~~5,329,861~~  
5,493,962

Additional numbers attached?  Yes  No

FINANCE SECTION  
MAR 17 AM 8:08

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

McAndrews, Held & Malloy, Ltd.  
34th Floor  
500 West Madison Street  
Chicago, Illinois 60661

6. Total number of applications and patents involved:  
2

7. Total fee (37 CFR 3.41): \$ 80.00

- Enclosed. Any excess or insufficiency should be credited or debited to deposit account.
- Authorized to be charged to deposit account.

8. Deposit account number:

13-0017

03/19/2003 ECOOPER 00000157 5329861

01 C:8021 80.00 DP

DO NOT USE THIS SPACE

9. Signature.

Name of Person Signing: Robert W. Fieseler

Reg. No. 31,826

Date: March 12, 2003

Signature:

Total number of pages including cover sheet, attachments and document: 6

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

PATENT  
REEL: 013845 FRAME: 0059

Form **BCA-10.30**

(Rev. Jan. 1999)

**ARTICLES OF AMENDMENT**

Jesse White  
Secretary of State  
Department of Business Services  
Springfield, IL 62756  
Telephone (217) 782-1832

Remit payment in check or money order, payable to "Secretary of State."

The filing fee for restated articles of amendment - \$100.00

<http://www.sos.state.il.us>

**FILED**

APR 21 1999

JESSE WHITE  
SECRETARY OF STATE

File # D 5800-219-4

**SUBMIT IN DUPLICATE**

This space for use by  
Secretary of State

Date 4/21/99  
Franchise Tax \$  
Filing Fee\* \$25.00  
Penalty \$  
Approved: [Signature]

1. CORPORATE NAME: Eco-Pallet Group, Ltd. (Note 1)

2. MANNER OF ADOPTION OF AMENDMENT:

The following amendment of the Articles of Incorporation was adopted on March 29, 1999 (Month & Day) in the manner indicated below. ("X" one box only)

By a majority of the incorporators, provided no directors were named in the articles of incorporation and no directors have been elected; (Note 2)

By a majority of the board of directors, in accordance with Section 10.10, the corporation having issued no shares as of the time of adoption of this amendment; (Note 2)

By a majority of the board of directors, in accordance with Section 10.15, shares having been issued but shareholder action not being required for the adoption of the amendment; (Note 3)

By the shareholders, in accordance with Section 10.20, a resolution of the board of directors having been duly adopted and submitted to the shareholders. At a meeting of shareholders, not less than the minimum number of votes required by statute and by the articles of incorporation were voted in favor of the amendment; (Note 4)

By the shareholders, in accordance with Sections 10.20 and 7.10, a resolution of the board of directors having been duly adopted and submitted to the shareholders. A consent in writing has been signed by shareholders having not less than the minimum number of votes required by statute and by the articles of incorporation. Shareholders who have not consented in writing have been given notice in accordance with Section 7.10; (Notes 4 & 5)

By the shareholders, in accordance with Sections 10.20 and 7.10, a resolution of the board of directors having been duly adopted and submitted to the shareholders. A consent in writing has been signed by all the shareholders entitled to vote on this amendment. (Note 5)

3. TEXT OF AMENDMENT:

a. When amendment effects a name change, insert the new corporate name below. Use Page 2 for all other amendments.

Article I: The name of the corporation is:

Excalibur Pallet Group, Ltd.  
(NEW NAME)

All changes other than name, include on page 2 (over)

**Text of Amendment**

- b. *(If amendment affects the corporate purpose, the amended purpose is required to be set forth in its entirety. If there is not sufficient space to do so, add one or more sheets of this size.)*

99648882 Page 3 of 3

4. The manner, if not set forth in Article 3b, in which any exchange, reclassification or cancellation of issued shares, or a reduction of the number of authorized shares of any class below the number of issued shares of that class, provided for or effected by this amendment, is as follows: (If not applicable, insert "No change")

No Change

5. (a) The manner, if not set forth in Article 3b, in which said amendment effects a change in the amount of paid-in capital (Paid-in capital replaces the terms Stated Capital and Paid-in Surplus and is equal to the total of these accounts) is as follows: (If not applicable, insert "No change")

No Change

(b) The amount of paid-in capital (Paid-in Capital replaces the terms Stated Capital and Paid-in Surplus and is equal to the total of these accounts) as changed by this amendment is as follows: (If not applicable, insert "No change")

No Change

	Before Amendment	After Amendment
Paid-in Capital	\$ _____	\$ _____

(Complete either Item 6 or 7 below. All signatures must be in **BLACK INK.**)

6. The undersigned corporation has caused this statement to be signed by its duly authorized officers, each of whom affirms, under penalties of perjury, that the facts stated herein are true.

Dated March 29, 1999 Excalibur Pallet Group Ltd.  
 (Month & Day) (Year) (Exact Name of Corporation at date of execution)

attested by Kathleen R. McCarthy by David F. McCarthy  
 (Signature of Secretary or Assistant Secretary) (Signature of President or Vice President)

Kathleen R. McCarthy, Secretary David F. McCarthy, President  
 (Type or Print Name and Title) (Type or Print Name and Title)

7. If amendment is authorized pursuant to Section 10.10 by the incorporators, the incorporators must sign below, and type or print name and title.

OR

If amendment is authorized by the directors pursuant to Section 10.10 and there are no officers, then a majority of the directors or such directors as may be designated by the board, must sign below, and type or print name and title.

The undersigned affirms, under the penalties of perjury, that the facts stated herein are true.

Dated \_\_\_\_\_, \_\_\_\_\_  
 (Month & Day) (Year)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## NOTES and INSTRUCTIONS

- NOTE 1: State the true exact corporate name as it appears on the records of the office of the Secretary of State, BEFORE any amendments herein reported.
- NOTE 2: Incorporators are permitted to adopt amendments ONLY before any shares have been issued and before any directors have been named or elected. (§ 10.10)
- NOTE 3: Directors may adopt amendments without shareholder approval in only seven instances, as follows:
- (a) to remove the names and addresses of directors named in the articles of incorporation;
  - (b) to remove the name and address of the initial registered agent and registered office, provided a statement pursuant to § 5.10 is also filed;
  - (c) to increase, decrease, create or eliminate the par value of the shares of any class, so long as no class or series of shares is adversely affected.
  - (d) to split the issued whole shares and unissued authorized shares by multiplying them by a whole number, so long as no class or series is adversely affected thereby;
  - (e) to change the corporate name by substituting the word "corporation", "incorporated", "company", "limited", or the abbreviation "corp.", "inc.", "co.", or "ltd." for a similar word or abbreviation in the name, or by adding a geographical attribution to the name;
  - (f) to reduce the authorized shares of any class pursuant to a cancellation statement filed in accordance with § 9.05,
  - (g) to restate the articles of incorporation as currently amended. (§ 10.15)
- NOTE 4: All amendments not adopted under § 10.10 or § 10.15 require (1) that the board of directors adopt a resolution setting forth the proposed amendment and (2) that the shareholders approve the amendment.

Shareholder approval may be (1) by vote at a shareholders' meeting (*either annual or special*) or (2) by consent, in writing, without a meeting.

To be adopted, the amendment must receive the affirmative vote or consent of the holders of at least 2/3 of the outstanding shares entitled to vote on the amendment (*but if class voting applies, then also at least a 2/3 vote within each class is required*).

The articles of incorporation may supersede the 2/3 vote requirement by specifying any smaller or larger vote requirement not less than a majority of the outstanding shares entitled to vote and not less than a majority within each class when class voting applies. (§ 10.20)

- NOTE 5: When shareholder approval is by consent, all shareholders must be given notice of the proposed amendment at least 5 days before the consent is signed. If the amendment is adopted, shareholders who have not signed the consent must be promptly notified of the passage of the amendment. (§§ 7.10 & 10.20)



Excalibur Pallet Group, Ltd.  
 550 Frontage Rd.  
 Suite 2630  
 Northfield, IL 60093

99648882

6185/0011 08 001 Page 1 of 5  
1999-07-07 10:48:10  
Cook County Recorder 29.50

File Number 5800-219-4



# State of Illinois Office of The Secretary of State

**Whereas,** ARTICLES OF AMENDMENT TO THE ARTICLES OF  
INCORPORATION OF

ECO-PALLET GROUP LTD.

INCORPORATED UNDER THE LAWS OF THE STATE OF ILLINOIS HAVE BEEN  
FILED IN THE OFFICE OF THE SECRETARY OF STATE AS PROVIDED BY THE  
BUSINESS CORPORATION ACT OF ILLINOIS, IN FORCE JULY 1, A.D. 1984.

Now Therefore, I, Jesse White, Secretary of State of the State of Illinois, by virtue of the powers vested in me by law, do hereby issue this certificate and attach hereto a copy of the Application of the aforesaid corporation.

In Testimony Whereof, I hereto set my hand and cause to be affixed the Great Seal of the State of Illinois, at the City of Springfield, this 21ST day of APRIL A.D. 1999 and of the Independence of the United States the two hundred and 23RD



*Jesse White*

Secretary of State

C-212.3

RECORDED: 03/17/2003

PATENT  
REEL: 013845 FRAME: 0064