

08-12-2010

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



103604110

SHEET

To the Director of the U.S. Pat.

ached documents or the new address(es) below.

1. Name of conveying party(ies)

Unit Rail Anchor Company

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

3. Nature of conveyance/Execution Date(s):

Execution Date(s) September 29, 2008

- ☐ Assignment ☒ Merger
☐ Security Agreement ☐ Change of Name
☐ Joint Research Agreement
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other _____

2. Name and address of receiving party(ies)

Name: Unit Rail Anchor Company

Internal Address: _____

Street Address: 2604 Industrial Street

City: Atchison

State: Kansas

Country: USA Zip: 66002

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

4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

B. Patent No.(s)

7,744,010

Additional numbers attached? ☐ Yes ☒ No

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

Name: AMSTED Industries Incorporated

Internal Address: Edward J. Brosius

Street Address: Two Prudential Plaza

180 N. Stetson St., Suite 1800

City: Chicago

State: Illinois Zip: 60601

Phone Number: 312-819-8482

Fax Number: 312-819-8484

Email Address: ebrosius@amsted.com

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

- ☐ Authorized to be charged to deposit account
☒ Enclosed
☐ None required (government interest not affecting title)

8. Payment Information

Deposit Account Number 09/12/2010 MTRAIL 00000010 7744010

Authorized User Name 10.00

9. Signature:

Signature

August 6, 2010

Date

Edward J. Brosius

Name of Person Signing

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

4

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE CERTIFICATE OF MERGER, WHICH MERGES:

"AMSTED RAIL COMPANY, INC.", A DELAWARE CORPORATION,

"BRESCO, INCORPORATED", A VIRGINIA CORPORATION,

"GRIFFIN WHEEL COMPANY, INC.", A DELAWARE CORPORATION,

"UNIT RAIL ANCHOR COMPANY, INC.", A DELAWARE CORPORATION,

WITH AND INTO "ASF-KEYSTONE, INC." UNDER THE NAME OF "AMSTED RAIL COMPANY, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, WAS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF SEPTEMBER, A.D. 2008, AT 11:14 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CORPORATION SHALL BE GOVERNED BY THE LAWS OF THE STATE OF DELAWARE.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE FIRST DAY OF OCTOBER, A.D. 2008, AT 12:01 O'CLOCK A.M.



0746607 8330

081015180

You may verify this certificate online
at corp.delaware.gov/authver.shtml

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 6895470

DATE: 10-06-08

CERTIFICATE OF MERGER

OF

BRENCO, INCORPORATED

GRIFFIN WHEEL COMPANY, INC.

UNIT RAIL ANCHOR COMPANY, INC.

AMSTED RAIL COMPANY, INC.

AND

ASF-KEYSTONE, INC.

(Pursuant to Section 252 of the General Corporation Law of the State of Delaware)

ASF-Keystone, Inc., a corporation organized and existing under the laws of the State of Delaware, does hereby certify as follows:

1. The constituent business corporations participating in the merger herein certified are:
 - (i) Brenco, Incorporated, which is incorporated under the laws of the Commonwealth of Virginia;
 - (ii) Griffin Wheel Company, Inc., which is incorporated under the laws of the State of Delaware;
 - (iii) Unit Rail Anchor Company, Inc., which is incorporated under the laws of the State of Delaware;
 - (iv) Amsted Rail Company, Inc., which is incorporated under the laws of the State of Delaware; and
 - (v) ASF-Keystone, Inc., which is incorporated under the laws of the State of Delaware.
2. An Agreement and Plan of Merger has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations above in accordance with Section 252 of the General Corporation Law of the State of Delaware.
3. The surviving corporation in the merger herein certified is ASF-Keystone, Inc., which will continue its existence as a corporation incorporated under the laws of the State of Delaware but shall change its name to "Amsted Rail Company, Inc." as provided in this certificate.

4. The Certificate of Incorporation of ASF-Keystone, Inc., as now in force and effect, shall continue to be the Certificate of Incorporation of said surviving corporation, except that Article First of shall be amended to read as follows at the effective date and time of the merger:

"The name of the corporation is Amsted Rail Company, Inc."

Such Certificate of Incorporation shall continue in full force and effect until further amended and changed pursuant to the General Corporation Law of the State of Delaware.

5. The executed Agreement and Plan of Merger among the constituent corporations above is on file at an office of the surviving corporation, the address of which is as follows:

Amsted Rail Company, Inc.
181 West Madison Street, 32nd Floor
Chicago, IL 60606
Attention: Secretary

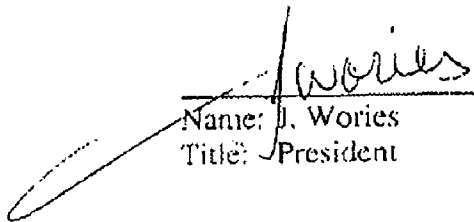
6. A copy of the aforesaid Agreement and Plan of Merger will be furnished by the surviving corporation, on request and without cost, to any stockholder of any constituent corporation.

7. The terminating constituent corporation Breco, Incorporated, a Virginia corporation, has authority to issue 1000 shares of stock, par value \$1.00 per share.

8. The merger herein certified shall be effective as of 11:59 p.m. on September 30, 2008.

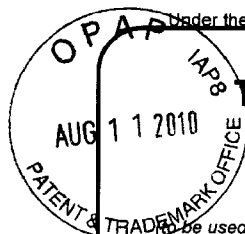
Dated as of September 29, 2008

ASF-KEYSTONE, INC.


Name: J. Worries
Title: President

CH115842466.4

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

To be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

12/220,659

Filing Date

07/28/2008

First Named Inventor

Martin Earl Reed

Art Unit

3617

Examiner Name

Smith, Jason C.

Attorney Docket Number

UR001

ENCLOSURES (Check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/
Incomplete Application
<input type="checkbox"/> Reply to Missing Parts
under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify
below):
- Postcard
- Merger
- Recordation form |
|--|--|--|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

AMSTED Industries Incorporated

Signature

Printed name

Edward J. Brosius

Date

August 6, 2010

Reg. No.

28,695

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Edward J. Brosius

Date

August 6, 2010

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT

RECORDED: 08/11/2010

REEL: 024823 FRAME: 0685