

## PATENT ASSIGNMENT

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	MERGER
EFFECTIVE DATE:	01/01/2003
CONVEYING PARTY DATA	
Name	Execution Date
CMI LIMITED PARTNERSHIP	11/13/2002
RECEIVING PARTY DATA	
Name:	CMI TEREX CORPORATION
Street Address:	I-40 and Morgan Road
City:	Oklahoma City
State/Country:	OKLAHOMA
Postal Code:	73101
PROPERTY NUMBERS Total: 1	
Property Type	Number
Patent Number:	5344088
CORRESPONDENCE DATA	
Fax Number:	2483583351
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	(248) 358-4400
Email:	Sshepherd@brookskushman.com
Correspondent Name:	Brooks Kushman P.C.
Address Line 1:	1000 Town Center, Twenty-Second Floor
Address Line 4:	Southfield, MICHIGAN 48075
ATTORNEY DOCKET NUMBER:	TERP 0266 PUS
NAME OF SUBMITTER:	Susan Shepherd
Total Attachments: 7 source=CMI_TEREX_CERTIFICATE_OF_MERGER#page1.tif source=CMI_TEREX_CERTIFICATE_OF_MERGER#page2.tif source=CMI_TEREX_CERTIFICATE_OF_MERGER#page3.tif source=CMI_TEREX_CERTIFICATE_OF_MERGER#page4.tif source=CMI_TEREX_CERTIFICATE_OF_MERGER#page5.tif source=CMI_TEREX_CERTIFICATE_OF_MERGER#page6.tif source=CMI_TEREX_CERTIFICATE_OF_MERGER#page7.tif	

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OFFICE OF THE SECRETARY OF STATE



CORRECTED  
CERTIFICATE OF MERGER

WHEREAS,

CMI TEREX CORPORATION

*a corporation organized under the laws of the State of Oklahoma,  
has filed in the office of the Secretary of State duly authenticated evidence of a merger  
whereby said corporation is the survivor, as provided by the laws of the State of  
Oklahoma.*

*NOW THEREFORE, I, the undersigned Secretary of State of Oklahoma, by virtue  
of the powers vested in me by law, do hereby issue this Certificate evidencing such  
merger.*

*IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be  
affixed the Great Seal of the State of Oklahoma.*

Effective Date: January 1, 2003



Filed in the City of Oklahoma City this 18th  
day of November, 2002.

*Lay Dudley*  
Secretary of State  
By: *[Signature]*

DOC RETRIEVAL  
OKLA CITY OK

CODE #: 201  
AMOUNT: \$50.00/\$25.00  
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RS

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JAN 10 1971

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JAN 10 1971

FILE IN DUPLICATE

PRINT CLEARLY

## CERTIFICATE OF CORRECTION

**FILED**

NOV 18 2002

**OKLAHOMA SECRETARY  
OF STATE**  
FOR OFFICE USE ONLY

PLEASE NOTE: THIS FORM MUST BE FILED WITH A LETTER FROM THE OKLAHOMA TAX COMMISSION STATING THAT THE FRANCHISE TAX HAS BEEN PAID FOR THE CURRENT FISCAL YEAR.

TO THE SECRETARY OF STATE OF THE STATE OF OKLAHOMA

The undersigned corporation, for the purpose of correcting its Certificate of Merger as that instrument was filed in the Office of the Secretary of State of Oklahoma on November 8, ~~20~~ 2002, pursuant to Section 1007 of the Oklahoma General Corporation Act hereby certifies:

1. The name of the corporation as it appears on the records of the Secretary of State of the State of Oklahoma is: CMI Terex Corporation
2. The jurisdiction of its incorporation is: Oklahoma
3. The inaccuracy or defect in the said instrument to be hereby corrected is:  
The effective date of merger was omitted from the original Certificate of Merger.

4. The respective portion of the said instrument in corrected form is as hereinafter set forth:

The effective date of merger should be January 1, 2003

IN WITNESS WHEREOF, said corporation has caused this certificate to be executed in its name by its Vice President, attested by its Asst. Secretary, this 13 day of November ~~2002~~ 2002.



By its Vice President

Eric I. Cohen

(PLEASE PRINT NAME)

By its Asst. Secretary

Jeffrey A. Gershowitz

(PLEASE PRINT NAME)

PATENT

REEL: 029655 FRAME: 0714

DB 216389 - 0011

922045

OFFICE OF THE SECRETARY OF STATE



CERTIFICATE OF MERGER

WHEREAS,

CMI TEREX CORPORATION

a corporation organized under the laws of the State of OKLAHOMA,  
has filed in the office of the Secretary of State duly authenticated evidence of a merger  
whereby said corporation is the survivor, as provided by the laws of the State of  
Oklahoma.

NOW THEREFORE, I, the undersigned Secretary of State of Oklahoma, by virtue  
of the powers vested in me by law, do hereby issue this Certificate evidencing such  
merger.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the  
Great Seal of the State of Oklahoma.



Filed in the City of Oklahoma City this 8TH  
day of NOVEMBER, 2002.

By: Kay Dudley  
Secretary of State  
Keith Klema

PATENT

REEL: 029655 FRAME: 0715

CSC  
WILMINGTON DE

CODE #: 201  
AMOUNT: \$100.00  
WI EXPEDITE 25.00, DRS

Nov 8/02 001#07806 Sheri  
Expedite Fee \$25.00

Nov 8/02 001#07806 Sheri  
MRG/CN3 \$100.00

NOV 8 2002

OKLAHOMA SECRETARY  
OF STATE

## CERTIFICATE OF MERGER

TO: OKLAHOMA SECRETARY OF STATE  
2300 N. Lincoln Blvd., Room 101, State Capitol Building  
Oklahoma City, OK 73105-4897  
(405) 522-4560

In lieu of filing an executed agreement of merger, CMI Terex Corporation hereby states and certifies as follows:

1. The name, type of entity and state of domicile of each of the constituent entities are:

<u>NAME OF ENTITY</u>	<u>TYPE OF ENTITY</u>	<u>STATE OF DOMICILE</u>
CMI Terex Corporation	Corporation	Oklahoma
Machinery Investment Corporation	Corporation	Oklahoma
CMI Sales Co., LLC	Limited liability company	Oklahoma
CMI Limited Partnership	Limited Partnership	Oklahoma

2. An agreement and plan of merger has been approved, adopted, certified, executed, and acknowledged by each of the constituent entities in accordance with Title 18, Section 1090.2(C).

3. The name of the surviving corporation is: CMI Terex Corporation.

4. Check the statement applicable to the merger or consolidation:

☒ A corporation is the surviving entity of the merger and no amendments or changes are desired so that the certificate of incorporation of the surviving corporation shall be its certificate of incorporation.

☐ A corporation is the surviving entity of the merger and any amendments or changes in the certificate of incorporation as are desired to be effected by the merger are set out in an attachment hereto.

☐ A corporation is the resulting entity of a consolidation and the certificate of incorporation of the resulting corporation is set forth in an attachment hereto.

☐ A business entity is the resulting entity of a consolidation and the charter of the resulting entity is set forth in an attachment hereto.

5. The executed agreement and plan of merger is on file at the principal place of business of the surviving corporation at the following address: I-40 and Morgan Road, Oklahoma City, Oklahoma 73101.

6. A copy of the agreement and plan of merger shall be furnished by the surviving

corporation, on request and without cost, to any shareholder of any constituent corporation or any partner of any constituent business entity.

7.        Check, if applicable, and complete the required information:

The entity surviving or resulting from the merger or consolidation is to be governed by the laws of the District of Columbia or any state other than this state and hereby agrees that it may be served with process in this state in any proceeding for enforcement of any obligation of any constituent corporation or business entity of this state, as well as for enforcement of any obligation of the surviving or resulting corporation or business entity arising from the merger or consolidation, including any suit or other proceeding to enforce the right of any shareholders as determined in appraisal proceedings pursuant to the provisions of Title 18, Section 1091.

The surviving or resulting entity irrevocably appoints the Secretary of State as its agent to accept service of process in any such suit or other proceedings. The address to which a copy of any process shall be mailed by the Secretary of State is: \_\_\_\_\_

IN WITNESS WHEREOF, CMI Terex Corporation, the surviving entity of the merger, has caused this Certificate of Merger to be executed this 1<sup>st</sup> day of November, 2002.

CMI TEREX CORPORATION

By: \_\_\_\_\_

Name: ELICI COHEN

Title: VICE PRESIDENT

ATTEST:

By: \_\_\_\_\_

Name: JEFFREY A. GERSHWIN

Title: ASSISTANT SECRETARY

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