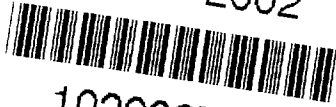


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U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

Form PTO-1594
(Rev. 03/01)
OMB No. 0651-0027 (exp. 5/31/2002)
Tab settings ⇨ ⇨ ⇨ ▼ ▼ ▼ ▼ ▼ ▼ ▼

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

1. Name of conveying party(ies):
Didier Taylor Refractories Corporation

5-9-02

- Individual(s)
- Association
- General Partnership
- Limited Partnership
- Corporation-State
- Other _____

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

3. Nature of conveyance:

- Assignment
- Merger and
- Security Agreement
- Change of Name
- Other _____

Execution Date: January 2, 1991

2. Name and address of receiving party(ies)

Name: North American Refractories Co.
Internal
Address: 600 Grant Street, #5100

Street Address: _____

City: Pittsburgh State: PA Zip: 15219

- Individual(s) citizenship _____
- Association _____
- General Partnership _____
- Limited Partnership _____
- Corporation-State An Ohio Corporation
- Other _____

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
(Designations must be a separate document from assignment Additional name(s) & address(es) attached? Yes No

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

730646

Additional number(s) attached Yes No

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

Name: Mark Kusner

Internal Address: Mark Kusner Co., LPA

Highland Place - Suite 310

Street Address: 6151 Wilson Mills Road

City: Highland Heights State: OH Zip: 44143

6. Total number of applications and registrations involved: 2

7. Total fee (37 CFR 3.41) \$ 65.00

Enclosed- Form PTO-2038 attached.

Authorized to be charged to deposit account

8. Deposit account number:

50-0537

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

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.

Mark Kusner
Name of Person Signing

Signature

May 1, 2002
Date

12

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

05/20/2002 LMUELLER 00000096 730646

Mail documents to be recorded with required cover sheet information to
Commissioner of Patent & Trademarks, Box Assignments
Washington, D.C. 20231

01 FC:481

40.00 DP

25.00 DP

01 FC:482

TRADEMARK
REEL: 002509 FRAME: 0758

Attachment for Recordation Form Cover Sheet Trademarks Only (Form PTO-1594)

Continuation of Item 4. Additional Application Number(s) or Registration Number(s)

A. Trademark Application No.(s):

B. Trademark Registration No.(s): 730647



Department of State

The State of Ohio

Sherrod Brown
Secretary of State

521275

Certificate

It is hereby certified that the Secretary of State of Ohio has custody of the Records of Incorporation and Miscellaneous Filings; that said records show the filing and recording of: MER MIS AGA

of:

DIGIER TAYLOR REFRACTORIES CORPORATION

United States of America
State of Ohio
Office of the Secretary of State

Recorded on Roll HO27 at Frame 0406 of
the Records of Incorporation and Miscellaneous Filings.

Witness my hand and the seal of the Secretary of State, at the
City of Columbus, Ohio, this 24TH day of DEC,
A.D. 19 90.



Sherrod Brown
Sherrod Brown
Secretary of State

H6027-0406

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12/24/90
#50

EFF: 1/2/91

CERTIFICATE OF MERGER
OF
NORTH AMERICAN REFRACTORIES COMPANY
A Corporation of the State of Ohio
INTO
DIDIER TAYLOR REFRACTORIES CORPORATION
A Corporation of the State of Ohio

The Agreement of Merger to which this certificate is attached, after having been duly signed on behalf of Didier Taylor Refractories Corporation, a corporation of the State of Ohio, was duly adopted pursuant to Title 17, Section 1701.80 of the Revised Code of Ohio by affirmative vote of a majority of the directors at a meeting duly held on the 13th day of December, 1990, without any vote having been taken by the shareholders of said Ohio corporation, the Surviving Corporation in this merger, the articles or regulation of said corporation do not require that the agreement be adopted by the shareholders or by the holders of a particular class of shares of said corporation. The Agreement of Merger does not conflict with the articles or regulations of the said corporation and there is no change to the articles or regulations of said corporation, nor does it authorize any action which apart from the merger would require adoption by the shareholders or by the holders of a particular class of shares of said corporation. The merger does not involve issuance or transfer by the Surviving Corporation, of such number of shares of the Surviving Corporation which will entitle the holders thereof after the consummation of the merger to exercise one-sixth or more of the voting power of the said corporation in the election of directors. There is no change in the directors of said corporation that would require action by the shareholders or by the holders of a particular class of the Surviving Corporation. The said corporation is the owner of 45,487 number of shares of the Subsidiary Corporation which constitutes at least 90% of each class of the outstanding shares of the Subsidiary Corporation. The Agreement of Merger was thereby adopted by the action of the board of directors of said Didier Taylor Refractories Corporation, the Surviving Corporation, and is the duly adopted agreement and act of said corporation. Pursuant to the provisions of Section 1701.80 of the Revised Code of Ohio and the Articles of Incorporation of said corporation, no vote of the shareholders was required to approve and adopt the Agreement of Merger. The shares of the Subsidiary Corporation owned by Didier Taylor Refractories Corporation, the surviving parent corporation, constituted more than 90% of each class of the outstanding shares of the Subsidiary Corporation. The manner of approval of the Agreement of Merger and action by the

directors constituted the adoption of the Agreement of Merger by the corporation pursuant to and in conformity with the laws of Ohio and is thereby the duly adopted agreement and act of the said corporation.

Didier Taylor Refractories Corporation

By E. S. Wright
President - E. S. Wright

By J. S. Ehle
Secretary - J. S. Ehle

North American Refractories Company

By: E. S. Wright
President - E. S. Wright

By J. S. Ehle
Secretary - J. S. Ehle

**AGREEMENT OF MERGER
MERCING
NORTH AMERICAN REFRACTORIES COMPANY
Corporation of the State of Ohio
INTO
DIDIER TAYLOR REFRACTORIES CORPORATION
Corporation of the State of Ohio**

FIRST: Didier Taylor Refractories Corporation, a corporation organized and existing under the Laws of the State of Ohio and owning at least 90% of each class of the outstanding shares of North American Refractories Company, a corporation organized and existing under the Laws of the State of Ohio, which is hereinafter referred to as the "Subsidiary Corporation", agreed that the Subsidiary Corporation shall be and hereby is merged into Didier Taylor Refractories Corporation, which is hereinafter referred to as the "Surviving Corporation". The terms and conditions of said merger and the mode of carrying same into effect are set forth in this Agreement of Merger.

SECOND: The Surviving Corporation shall survive the merger herein contemplated, shall continue its corporate name and shall be governed by the Laws of the State of Ohio, but the separate corporate existence of the Subsidiary Corporation shall cease forthwith upon the Effective Date, as defined below.

THIRD: The parties to this Agreement of Merger are Didier Taylor Refractories Corporation, a corporation organized on the 17th day of August, 1978, under the General Corporation Laws of the State of Ohio and North American Refractories Company, a corporation organized on the 27th day of September, 1985, and existing under the Laws of the State of Ohio.

FOURTH: Further provisions with respect to this Agreement of Merger are as follows:

- (a) Upon the Effective Date, each issued and outstanding common share of the Subsidiary Corporation shall be converted into and become 1 common share of the Surviving Corporation. Following the merger, the total number of issued and outstanding common shares of the Surviving Corporation shall be 61,253.
- (b) The present directors of the Surviving Corporation shall continue without change as the directors of the Surviving Corporation to serve in accordance with the code of regulations of the Surviving Corporation.

H6027-0409

- (c) The code of regulations of the Surviving Corporation shall continue as the code of regulations of the Surviving Corporation without change or amendment.
- (d) The Surviving Corporation hereby continues the appointment of the following named company as its statutory agent, upon whom may be served any process, notice or demand against either the Surviving Corporation or the Subsidiary Corporation:

CT Corporation System
815 Superior Avenue, N.E.
Cleveland, Ohio 44114

FIFTH: The designation and number of outstanding shares of each class of the Subsidiary Corporation and the number of shares of each class owned by the Surviving Corporation is as follows:

<u>Name of Subsidiary</u>	<u>Class</u>	<u>Series</u>	<u>Outstanding</u>	<u>Owned by Surviving Corp.</u>
North American Refractories Company	Common	Not Applicable	49,266	45,487

SIXTH: The merger of the Subsidiary Corporation into the Surviving Corporation shall become effective on January 2, 1991. The date on which the merger becomes effective is herein called the "Effective Date" of the merger.

Upon the Effective Date, the separate existence of the Subsidiary Corporation shall cease, and the Subsidiary Corporation shall be merged into the Surviving Corporation in accordance with this Agreement and the Parent Corporation shall continue unaffected and unimpaired by the merger, with all of the rights, privileges, immunities, powers and purposes, and all of the property, real and personal, causes of action and every other asset of the Subsidiary Corporation and shall assume and be liable for all of the liabilities, obligations and penalties of the Subsidiary Corporation, all in accordance with 1701.82 of the Ohio Revised Code.

H027-0110

SEVENTH: This Agreement of Merger was duly approved by the directors of each of the constituent corporations and adopted pursuant to Section 1701.80 of the Revised Code of Ohio as the act of the Surviving Corporation and as the act of Subsidiary Corporation.

IN WITNESS WHEREOF Didier Taylor Refractories Corporation, an Ohio corporation, and North American Refractories Company, an Ohio corporation, the corporations which are the parties to this Agreement of Merger, pursuant to the authority duly given by their respective boards of directors, have caused this Agreement of Merger to be executed in their respective corporate names by the President and the Secretary of each of the corporations and the corporate seals to be affixed as of this 1st day of December, 1990.

Didier Taylor Refractories Corporation

By E. S. Wright
President - E. S. Wright

By J. S. Ehle
Secretary - J. S. Ehle

North American Refractories Company

By E. S. Wright
President - E. S. Wright

By J. S. Ehle
Secretary - J. S. Ehle



Department of State

The State of Ohio

Sherrod Brown
Secretary of State

521275

Certificate

It is hereby certified that the Secretary of State of Ohio has custody of the Records of Incorporation and Miscellaneous Filings; that said records show the filing and recording of: AMA MIS CHN. CHL

of:

NORTH AMERICAN REFRACTORIES COMPANY FORMERLY DIDIER TAYLOR REFRACTORIES CORPORATION

United States of America
State of Ohio
Office of the Secretary of State

Recorded on Roll H027 at Frame 0421 of
the Records of Incorporation and Miscellaneous Filings.

Witness my hand and the seal of the Secretary of State, at the
City of Columbus, Ohio, this 2ND day of JAN,
A.D. 19 91.



Sherrod Brown
Sherrod Brown
Secretary of State

STATE OF OHIO
OFFICE OF THE SECRETARY OF STATE

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CERTIFICATE OF AMENDMENT
TO THE
ARTICLES OF INCORPORATION
OF
DIDIER TAYLOR REFRACTORIES CORPORATION

Edmund S. Wright, President, and Jay S. Ehle, Secretary, of Didier Taylor Refractories Corporation, an Ohio corporation (the "Corporation"), with its principal office located in the City of Cincinnati, County of Hamilton, State of Ohio, do hereby certify that in a writing signed under the provisions of Section 1701.54 of the Revised code by the sole shareholder of the Corporation, the following resolution was adopted to amend the Articles:

RESOLVED, that the Articles of Incorporation of the Corporation be amended and restated, effective January 2, 1991.

RESOLVED, that the Amended and Restated Articles of Incorporation of the Corporation, in the form annexed hereto as Exhibit A, in accordance with the foregoing resolution, is hereby adopted and approved.

IN WITNESS WHEREOF, said Edmund S. Wright, President, and Jay S. Ehle, Secretary, of Didier Taylor Refractories Corporation, have hereunto subscribed their names this 7th day of December, 1990.

DIDIER TAYLOR REFRACTORIES CORPORATION

BY: E. S. Wright
Edmund S. Wright, President

BY: Jay S. Ehle
Jay S. Ehle, Secretary

EXHIBIT AAMENDED AND RESTATED ARTICLES OF INCORPORATIONOFNORTH AMERICAN REFRACTORIES COMPANY

(Formerly Didier Taylor Refractories Corporation)

- I. The name of the Corporation shall be NORTH AMERICAN REFRACTORIES COMPANY.
- II. The principal office of the Corporation in the State of Ohio is to be located in the City of Cleveland, County of Cuyahoga.
- III. The purpose for which the Corporation is formed is to engage in any lawful act or activity for which corporations may be formed under Sections 1701.01 to 1701.99, inclusive, of the Ohio Revised Code.
- IV. The maximum number of shares which the Corporation is authorized to have outstanding is One Hundred Thousand (100,000) shares of Common Stock without par value.
- V. No holder of any class of shares of the Corporation shall have any pre-emptive rights to purchase or have offered to them for purchase any shares or other securities of the Corporation.
- VI. No holder of any class of shares of the Corporation shall have the right to vote cumulatively in the election of the members of the Board of Directors.
- VII. The Corporation may from time to time, pursuant to authorization by the Board of Directors and without action by the shareholders, purchase or otherwise acquire shares of the Corporation of any class or classes in such manner, upon such terms and in such amounts as the Board of Directors shall determine; subject, however, to such limitation or restriction, if any, as is contained in the express terms of any class of shares of the Corporation outstanding at the time of the purchase or acquisition in question.

VIII. Notwithstanding any provision of the Ohio Revised Code now or hereafter in force requiring for any purpose the vote, consent, waiver or release of the holders of shares entitling them to exercise two-thirds, or any other proportion, of the voting power of the Corporation or of any class or classes of shares thereof, such action, unless otherwise expressly required by statute or by these Articles, may be taken by the vote, consent, waiver or release of the holders of shares entitling them to exercise a majority of the voting power of the Corporation or of such class or classes.

IX. Any and every statute of the State of Ohio hereafter enacted, whereby the rights, powers or privileges of corporations or of the shareholders of corporations organized under the laws of the State of Ohio are increased or diminished or in any way affected, or whereby effect is given to the action taken by any number, less than all, of the shareholders of any such corporation, shall apply to the corporation and shall be binding not only upon the Corporation but upon every shareholder of the Corporation to the same extent as if such statute had been in force at the date of filing these Amended and Restated Articles of Incorporation of the Corporation in the office of the Secretary of State of Ohio.