

12-15-2004

HEET

U.S. DEPARTMENT OF COMMERCE

OMB Collection # 41-0027 (Exp. 6/30/2005)



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United States Patent and Trademark Office

To the Director of the U.S. Patent and Trademark

102902413

or the new address(es) below.

New Resubmission (Non-Recordation) Document ID #:

1. Name of conveying party(ies) / Execution Date(s):

Heraeus Kulzer, Inc.

Individual(s) Association General Partnership Limited Partnership Corporation - State of California Other:

Citizenship (see guidelines)

Execution Date(s) December 18, 2000

Effective Date January 1, 2001

Additional names of conveying parties attached? Yes No

3. Nature of conveyance:

Nunc Pro Tunc Assignment Merger Security Agreement Name Change Other:

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

A. Trademark Application No.(s):

B. Trademark Registration No.(s)

- 1) 0630981 2) 0681561 3) 1032760 4) 1033752

Additional sheets attached? Yes No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

- 1) DRI-CLAVE 2) SURGIDENT 3) SHUR WAX 4) IVORY (see add'l sheet)

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

Name: Nathaniel D. Kramer, Esq. Internal Address: Kirschstein, Ottinger, Israel & Schiffmiller, P.C. Street Address: 489 Fifth Avenue - Ste 17 City: New York State: New York Zip: 10017 Phone Number: 212-697-3750 Fax Number: 212-949-1690 Email Address: ndkramer@mindspring.com

6. Total number of applications and registrations involved: 15

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 390.00

Enclosed (check No. 1430, dated 12/8/04) Authorized to charge any additional fees to deposit account Credit Card

8. Payment Information

Deposit Account No.: 50-2216 Authorized User Name: Nathaniel Kramer

9. Signature: Nathaniel Kramer Signature Date: December 10, 2004 Name of Person Signing

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

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(Additional Sheet)

4B. continued - Trademark Registration No(s)

5) 1047487	6) 1052748	7) 1085857
8) 1094882	9) 1884198	10) 2216818
11) 2291381	12) 2402578	13) 2482219
14) 2494241	15) 2543989	

4C. continued - Identification of Trademarks

5) DIE-KEEN	6) MUCO SOL	7) MODERN MATERIALS
8) KLEENZALL 68	9) MILESTONE	10) DISPORAL
11) PROVIL NOVO	12) STATSTONE	13) VIBRAKLEEN
14) VIBRAKLEEN	15) GLUMA DESENSITIZER EVERY TIME	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450
on December 10, 2004

KIRSCHSTEIN, OTTINGER, ISRAEL & SCHIFFMILLER, P.C.

By: Ute Nolan
Print Name
Signature

TRADEMARK
REEL: 003091 FRAME: 0899

CERTIFICATE OF MERGER
of
HERAEUS KULZER, INC.
(a California corporation)
and
J.F. JELENKO & CO.
(a Delaware corporation)

It is hereby certified that:

1. The constituent business corporations participating in the merger herein certified are:

(i) Heraeus Kulzer, Inc. ("Kulzer"), which is incorporated under the laws of the State of California; and

(ii) J.F. Jelenko & Co. ("Jelenko"), which is incorporated under the laws of the State of Delaware.

2. An Agreement of Merger has been approved, adopted, certified, executed, and acknowledged by each of the aforesaid constituent corporations in accordance with the provisions of subsection (c) of Section 252 of the Delaware General Corporation Law, to wit, by Kulzer in accordance with the laws of the State of California and by Jelenko in the same manner as is provided in Section 251 of the Delaware General Corporation Law.

3. The name of the surviving corporation in the merger herein certified is J.F. Jelenko & Co. which shall continue its existence as said surviving corporation under the name Heraeus-Kulzer, Inc. ("Heraeus") upon the effective date of said merger, which shall

be January 1, 2001, pursuant to the provisions of the Delaware General Corporation Law.

4. The Certificate of Incorporation of Jelenko is to be amended and changed by reason of the merger herein certified by amending and restating Article First thereof, relating to the name so that said Article First reads, in its entirety, as follows:

"FIRST: The name of the corporation is
Heraeus-Kulzer, Inc."

and said Certificate of Incorporation as so amended and changed shall continue to be the Certificate of Incorporation of said surviving corporation until further amended and changed in accordance with the provisions of the Delaware General Corporation Law.

5. The executed Agreement of Merger between the aforesaid constituent corporations is on file at the principal place of business of the aforesaid surviving corporation, the address of which is as follows:

J.F. Jelenko & Co.
99 Business Park Drive
Armonk, New York 10504

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

Dec. 20, 2000

4:11PM

the authorized capital stock of Kulzer consists of 100,000 shares of no stated par value. The authorized capital stock of Jelenko consists of 220,025 shares of which, 200,000 are Common Stock at \$.01 par value, 20,000 are non-voting Common Stock at \$.01 par value, and 25 are Preferred Stock at \$20,000.00 par value.

Executed as of December 18, 2000.

J.F. Jelenko & Co.
(a Delaware corporation)

By: 

Name: Horst Becker

Title: President