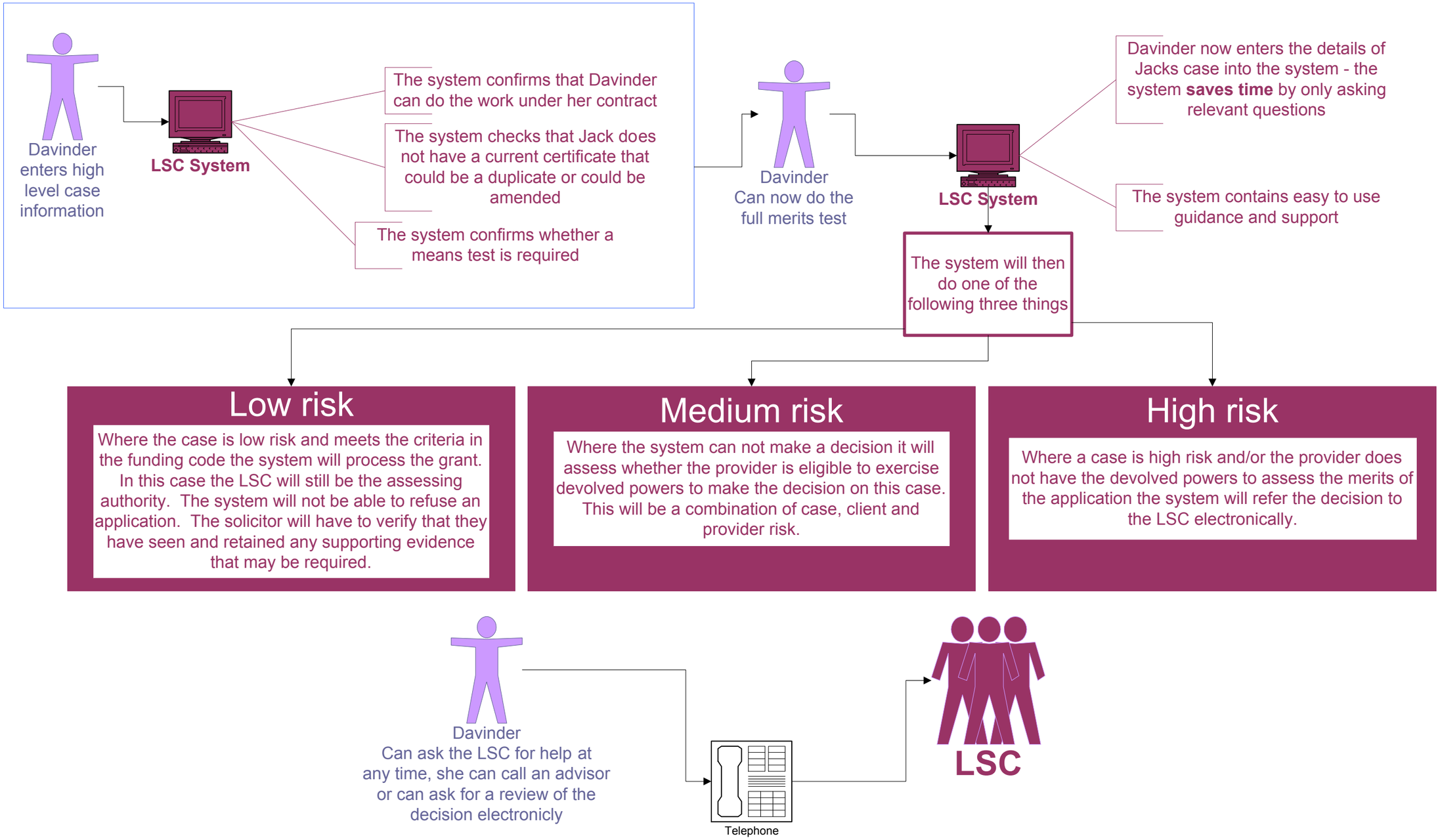Getting a certificate - the merits test