

12-28-1998

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FORM PTO 1594 (Modified)  
(Rev. 6-93)  
OMB No. 0651-0011 (exp. 4/94)  
Copyright 1994-97 Legal Star  
TM05/REV 93

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Docket No.:

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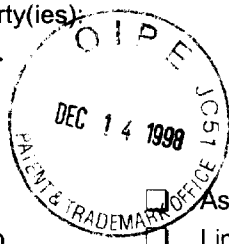


Tab settings

To the Honorable Commissioner of Patents and Trademarks, please return the attached original documents or copy thereof.

1. Name of conveying party(ies):

bioMérieux Vitek, Inc.



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

Additional names(s) of conveying party(ies)  Yes  No

3. Nature of conveyance:

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

Execution Date:

2. Name and address of receiving party(ies):

Name bioMérieux, Inc.

Internal Address:

Street Address: 595 Anglum Drive

City: Hazelwood State: MO ZIP: 63042-2395

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

If assignee is not domiciled in the United States, a domestic designation is  Yes  N  
(Designations must be a separate document from Additional name(s) & address(es)  Yes  N

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,124,973

12/17/1998 TNGUYEN 00000102 2124973

Additional numbers

Yes  No

01 FC:581

40.00 OP

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

Name: McDonnell, Boehnen, Hulbert & Berghoff

Internal Address:

Street Address: 300 South Wacker Drive

32nd Floor

City: Chicago State: IL ZIP: 60606

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41):..... \$ \$40.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

13-2490

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.

Thomas A. Fairhall

Name of Person Signing

Thomas A. Fairhall

Signature

12-16/98

Date

Total number of pages including cover sheet, attachments, and

TRADEMARK

REEL: 1832 FRAME: 0247

# STATE OF MISSOURI



**Rebecca McDowell Cook**  
**Secretary of State**

CORPORATION DIVISION  
CERTIFICATE OF CORPORATE RECORDS

BIOMERIEUX, INC.

I, REBECCA MCDOWELL COOK, SECRETARY OF STATE OF THE STATE OF MISSOURI AND KEEPER OF THE GREAT SEAL THEREOF, DO HEREBY CERTIFY THAT THE ANNEXED PAGES CONTAIN A FULL, TRUE AND COMPLETE COPY OF THE ORIGINAL DOCUMENTS ON FILE AND OF RECORD IN THIS OFFICE.

IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND IMPRINTED THE GREAT SEAL OF THE STATE OF MISSOURI, ON THIS, THE 22ND DAY OF OCTOBER, 1998.

*Rebecca McDowell Cook*  
Secretary of State



No. 00192735

# STATE OF MISSOURI



**Rebecca McDowell Cook**  
**Secretary of State**

CORPORATION DIVISION  
CERTIFICATE OF AMENDMENT

WHEREAS,

BIOMERIEUX, INC.

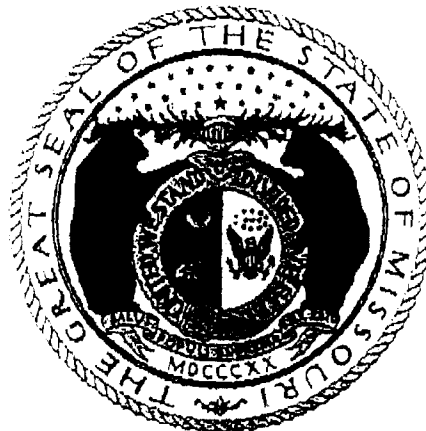
FORMERLY,

BIOMERIEUX VITEK, INC.

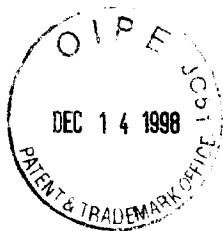
A CORPORATION ORGANIZED UNDER THE GENERAL AND BUSINESS CORPORATION LAW HAS DELIVERED TO ME A CERTIFICATE OF AMENDMENT OF ITS ARTICLES OF INCORPORATION AND HAS IN ALL RESPECTS COMPLIED WITH THE REQUIREMENTS OF LAW GOVERNING THE AMENDMENT OF ARTICLES OF INCORPORATION UNDER THE GENERAL BUSINESS CORPORATION LAW, AND THAT THE ARTICLES OF INCORPORATION OF SAID CORPORATION ARE AMENDED IN ACCORDANCE THEREWITH.

IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND IMPRINTED THE GREAT SEAL OF THE STATE OF MISSOURI, ON THIS, THE 2ND DAY OF OCTOBER, 1998.

*Rebecca McDowell Cook*  
Secretary of State



\$25.00



FILED AND CERTIFICATE  
ISSUED

OCT 02 1998

*Rebecca McDowell Cook*  
 SECRETARY OF STATE

State of Missouri  
 Rebecca McDowell Cook  
 Secretary of State  
 P.O. Box 778  
 Jefferson City, MO 65102

Corporation Division

**AMENDMENT OF ARTICLES OF INCORPORATION**

(To be submitted in duplicate)

Pursuant to the provisions of The General and Business Corporation Law of Missouri, the undersigned Corporation certifies the following:

1. The present name of the Corporation is: bioMérieux Vitek, Inc.

The name under which it was originally organized was: Vitek, Inc.

2. An amendment to the Corporation's Articles of Incorporation was adopted by the sole shareholder on July 16, 1998.

3. Article Number One is amended to read as follows:

The name of the Corporation (hereinafter referred to as "Corporation") is bioMérieux, Inc.

4. Of the 9,079 shares outstanding, 9,079 of such shares were entitled to vote on such amendment. The number of outstanding shares of any class entitled to vote thereon as a class were as follows:

<i>Class</i>	<i>Number of Outstanding Shares</i>
Common	9,079

5. The number of shares voted for and against the amendment was as follows:

<i>Class</i>	<i>Number Voted For</i>	<i>Number Voted Against</i>
Common	9,079	0

6. If the amendment changed the number or par value of authorized shares having a par value, the amount in dollars of authorized shares having a par value as changed is: (Not applicable)

If the amendment changed the number of authorized shares without par value, the authorized number of shares without par value as changed and the consideration proposed to be received for such increased authorized shares without par value as are to be presently issued are: (Not applicable)

7. If the amendment provides for an exchange, reclassification, or cancellation of issued shares, or a reduction of the number of authorized shares of any class below the number of issued shares of that class, the following is a statement of the manner in which such reduction shall be affected: (Not applicable)

IN WITNESS WHEREOF, the undersigned, Philippe F. Sans, President, has executed this instrument and its Assistant Secretary, Johannes P. Burlin, has affixed its corporate seal hereto and attested said seal on the 21st day of September, 1998.

bioMérieux Vitek, Inc.

ATTEST:

Johannes Burlin  
Johannes P. Burlin, Assistant Secretary

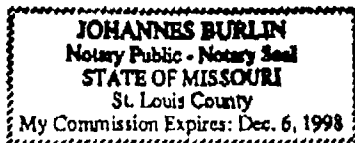
By: [Signature]  
Philippe F. Sans, President

State of Missouri  
County of St. Louis

I, Johannes Burlin, a Notary Public, do hereby certify that on this 21st day of September, 1998, personally appeared before me Philippe F. Sans, who, being by me first duly sworn, declared that he is the President of bioMérieux Vitek, Inc., that he signed the foregoing documents as President of the corporation, and that, the statements therein contained are true.

Johannes Burlin  
Notary Public

My commission expires: \_\_\_\_\_



TRADEMARK