

Med
3-23-99

Attorney Docket: 6551/53771
Date: March 17, 1999

TRADEMARKS ONLY

RECEIVED

04-01-1999

MARKS ONLY

TO THE HONORABLE COMMISSIONER
PLEASE RECORD THE ATTACHED ORIGINAL



| | | | |
|---|--|--|--|
| 1. Name of party(ies) conveying interest: Dey Laboratories, L.P. (Entity: limited partnership) Dey Laboratories, Inc. (Entity: general partner of Dey Laboratories, L.P.) | | 100999248 interest: | |
| 3. Interest conveyed: <input type="checkbox"/> Assignment <input type="checkbox"/> Security Agreement <input type="checkbox"/> Merger <input checked="" type="checkbox"/> Change of Name <input type="checkbox"/> Other: | | Dey, L.P. (Entity: limited partnership) Dey, Inc. (Entity: general partner of Dey, L.P.) 2751 Napa Valley Corporate Drive Napa, CA 94558 | |
| 4. Application number(s) or registration number(s). Additional sheet attached ? [X] Yes [] No A. Trademark Application No.(s). B. Trademark Registration No.(s). | | | |
| 5. Name and address of party to whom correspondence concerning document should be mailed: COUDERT BROTHERS 4 Embarcadero Center, Suite 3300 San Francisco, CA 94111 | | 6. Total number of trademark registrations involved: 11 7. Total fee (37 CFR 1.21(h): \$440.00 <input checked="" type="checkbox"/> Enclosed 8. The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 13-0201. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 13-0201. | |
| 03/31/1999 DNGUYEN 00000187 1279566 01 FC:481 40.00 DP 02 FC:482 250.00 DP | | | |
| DO NOT USE THIS SPACE | | | |
| 9. Date of execution of attached document: May 1, 1998 10. Statement and signature. <i>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.</i> | | | |
| Donald L. Bartels Registration No. 28,282 | | Date: <u>March 17, 1999</u> | |
| *Total number of pages comprising cover sheet: 1 | | | |

Refund Ref: 03/31/1999 DNGUYEN 0000079740

CHECK Refund Total: \$150.00

3350515.1

TRADEMARK
REEL: 1876 FRAME: 0484

**SCHEDULE A TO NAME CHANGE OF PARTY OWNING THE FOLLOWING
TRADEMARK REGISTRATIONS AND APPLICATIONS**

| <u>Mark</u> | <u>Registration No.</u> | <u>Issue Date</u> |
|--------------------|--------------------------------|--------------------------|
| D and Design | 1,279,566 | May 29, 1984 |
| DEY-PAK | 1,392,924 | May 13, 1986 |
| DEY | 1,756,374 | March 9, 1993 |
| DEY CARE | 2,086,379 | August 5, 1997 |
| DEY-DOSE | 1,251,469 | September 20, 1983 |
| DEY-LUTE | 1,251,468 | September 20, 1983 |
| DEY-VIAL | 1,279,567 | May 29, 1984 |

| <u>Mark</u> | <u>Application No.</u> | <u>Filing Date</u> |
|---------------------------|-------------------------------|---------------------------|
| ACCUVENT | 75/378,218 | October 23, 1997 |
| EMPHARMA | 75/248,840 | February 27, 1997 |
| PACKAGED FOR PROFIT | 75/397,687 | November 20, 1997 |
| PATIENT FOCUSED PACKAGING | 75/397,689 | November 20, 1997 |

3350518.1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "DEY LABORATORIES, INC.", CHANGING ITS NAME FROM "DEY LABORATORIES, INC." TO "DEY, INC.", FILED IN THIS OFFICE ON THE THIRTIETH DAY OF JUNE, A.D. 1998, AT 4 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



A handwritten signature in cursive script, reading "Edward J. Freel".

Edward J. Freel, Secretary of State

AUTHENTICATION: 9172986

DATE: 07-01-98

2141046 8100

981255779

TRADEMARK
REEL: 1876 FRAME: 0486

**CERTIFICATE OF AMENDMENT
OF THE
CERTIFICATE OF INCORPORATION
OF
DEY LABORATORIES, INC.**

(Pursuant to Sections 102 and 242 of the Delaware General Corporation Law)

Pursuant to the provisions of Sections 102 and 242 of the Delaware General Corporation Law, we, Charles A. Rice and Edwin S. Matthews, Jr. being respectively the Chief Executive Officer and Assistant Secretary of Dey Laboratories, Inc. (the "Corporation") hereby certify as follows:

FIRST: The name of the corporation is Dey Laboratories, Inc.

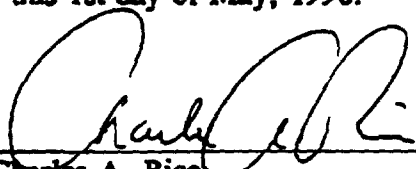
SECOND: The Certificate of Incorporation was filed by the Secretary of State of the State of Delaware on the 19th day of October, 1987.

THIRD: In order to change the corporate name of the Corporation, Article First of the Certificate of Incorporation of the Corporation is hereby replaced with the following:

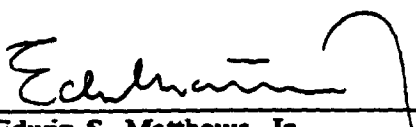
FIRST: The name of the corporation is Dey, Inc.

FOURTH: Such change was duly adopted by unanimous written consent of the Board of Directors of the Corporation dated April 15, 1998, and by the sole shareholder of the Corporation by written consent dated May 1, 1998 in accordance with Section 242 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, we hereunto sign our names and affirm that the statements made herein are true under the penalties of perjury, this 1st day of May, 1998.



Charles A. Rice
Chief Executive Officer



Edwin S. Matthews, Jr.
Assistant Secretary

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "DEY LABORATORIES, L.P.", CHANGING ITS NAME FROM "DEY LABORATORIES, L.P." TO "DEY, L.P.", FILED IN THIS OFFICE ON THE THIRTIETH DAY OF JUNE, A.D. 1998, AT 4:01 O'CLOCK P.M.



A handwritten signature in cursive script, reading "Edward J. Freel".

Edward J. Freel, Secretary of State

2366093 8100

981255781

AUTHENTICATION: 9173005

DATE: 07-01-98

TRADEMARK
REEL: 1876 FRAME: 0488

CERTIFICATE OF AMENDMENT
OF THE
CERTIFICATE OF LIMITED PARTNERSHIP
OF
DEY LABORATORIES, L.P.

The undersigned, desiring to amend the Certificate of Limited Partnership of Dey Laboratories, L.P. (the "Certificate") pursuant to the provisions of Section 17-202 of the Delaware Revised Uniform Limited Partnership Act, does hereby certify as follows:

FIRST: The name of the Limited Partnership is Dey Laboratories, L.P.

SECOND: Article One of the Certificate shall be amended to read in its entirety as follows:

Article One

The name of the limited partnership formed hereby is DEY, L.P.

THIRD: Article Three of the Certificate shall be amended to read in its entirety as follows:

Article Three

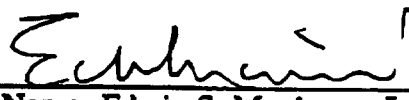
The name and business address of the General Partner of the Partnership is:

Dey, Inc.
2751 Napa Valley Corporate Drive
Napa, CA 94558

IN WITNESS WHEREOF, the undersigned executed this Amendment to the Certificate as of the 1st day of May, 1998.

GENERAL PARTNER

Dey, Inc.

By: 
Name: Edwin S. Matthews, Jr.
Title: Assistant Secretary