

04-15-1999



FORM PTO-1618A  
Expires 06/30/99  
OMB 0651-0027

U.S. Department of Commerce  
Patent and Trademark Office  
TRADEMARK

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04-15-1999

RECORDATION FORM COVER SHEET  
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TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

MFD 4-5-99

Submission Type

- New
- Resubmission (Non-Recordation)  
Document ID #
- Correction of PTO Error  
Reel #  Frame #
- Corrective Document  
Reel #  Frame #

Conveyance Type

- Assignment  License
- Security Agreement  Nunc Pro Tunc Assignment
- Merger  Change of Name
- Other

Effective Date  
Month Day Year  
01 01 94

Conveying Party

Mark if additional names of conveying parties attached

Name

Execution Date  
Month Day Year  
12 31 93

Formerly

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)     
City State/Country Zip Code

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

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Mail documents to be recorded with required cover sheet(s) information to:  
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TRADEMARK  
REEL: 1883 FRAME: 0242

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages** Enter the total number of pages of the attached conveyance document including any attachments. #

**Trademark Application Number(s) or Registration Number(s)**  Mark if additional numbers attached  
Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)			Registration Number(s)		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1,841,194"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Number of Properties** Enter the total number of properties involved. #

**Fee Amount** Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment: Enclosed  Deposit Account

Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.)  
Deposit Account Number: #

Authorization to charge additional fees: Yes  No

**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. Charges to deposit account are authorized, as indicated herein.

Lois K. Ruzala  
Name of Person Signing

*Lois K. Ruzala*  
Signature

March 10, 1999  
Date Signed

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 OWNERSHIP, WHICH MERGES:

"BEHRING DIAGNOSTICS INC.", A DELAWARE CORPORATION,  
WITH AND INTO "PB DIAGNOSTIC SYSTEMS, INC." UNDER THE NAME OF "BEHRING DIAGNOSTICS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTY-FIRST DAY OF DECEMBER, A.D. 1993, AT 10 O'CLOCK A.M.



*Edward J. Freel*

Edward J. Freel, Secretary of State

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AUTHENTICATION: 9208914

DATE: 07-21-98

TRADEMARK  
REEL: 1883 FRAME: 0244

**CERTIFICATE OF OWNERSHIP AND MERGER**

**merging**

**BEHRING DIAGNOSTICS INC.**

**With and into**

**PB DIAGNOSTIC SYSTEMS, INC.**

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**Pursuant to Section 253 of the General  
Corporation Law of the State of Delaware**

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**Behring Diagnostics Inc., a corporation organized and existing under the laws of the State of Delaware (the "Corporation"), DOES HEREBY CERTIFY THAT:**

**FIRST: The Corporation is a corporation organized and existing under the laws of the state of Delaware and its Certificate of Incorporation was filed in the Office of the Secretary of State of the State of Delaware on August 25, 1987.**

**SECOND: PB Diagnostic Systems, Inc. (the "Subsidiary") is a corporation organized and existing under the laws of the State of Delaware and its Certificate of Incorporation was filed in the office of the Secretary of State of the State of Delaware on April 18, 1985.**

**THIRD: The Corporation owns all of the outstanding shares of the Common stock, par value \$100 per share, of the Subsidiary, and there is no other class of stock of the Subsidiary outstanding.**

**FOURTH:** The Board of Directors of the Corporation determined to merge the Corporation with and into the Subsidiary effective following the filing of this Certificate and, on December 14, 1993, duly adopted the resolutions attached hereto as Annex I.

**FIFTH:** The merger of the Corporation with and into the subsidiary, with the Subsidiary being the surviving corporation (the "Surviving Corporation"), in accordance with the Plan of Merger attached as Exhibit A to Annex I hereto, was duly approved on December 15, 1993, in accordance with Section 228 of the General Corporation Law of the State of Delaware, by written consent of the sole holder of the Common Stock, par value \$100 per share, of the Corporation, which is the only class of capital stock of the Corporation outstanding.

**SIXTH:** The merger shall become effective on January 1, 1994 following the filing of this Certificate with the Secretary of State of Delaware (the "Effective Time").

**SEVENTH:** The Certificate of Incorporation of the Subsidiary in effect immediately prior to the Effective Time shall be the Certificate of Incorporation of the Surviving Corporation except that Article FIRST thereof shall be amended at the Effective Time in its entirety to read as follows:

**"FIRST:** The name of the Corporation is  
Behring Diagnostics Inc."

**EIGHTH:** At the Effective Time, by virtue of the merger and without any action on the part of the Corporation, the subsidiary or the holder of any of the following securities:

(a) Each share of Common Stock, par value \$100 per share, of the subsidiary issued and outstanding immediately prior to the Effective Time shall be cancelled and retired and no payment or other consideration shall be made with respect thereto.

(b) Each of the 3,000 shares of Common Stock, par value \$100 per share, of the Corporation issued and outstanding immediately prior to the Effective Time shall represent one validly issued, fully paid and nonassessable share of Common stock, par value \$100 per share, of the surviving Corporation.

IN WITNESS WHEREOF, the Corporation has caused this Certificate to be executed and acknowledged by its duly authorized officers as of this 31st day of December, 1993.

**BEHRING DIAGNOSTICS INC.**

By \_\_\_\_\_

*G. Veith*  
G. Veith  
President

Attest:

*K. S. Weiner*  
\_\_\_\_\_  
K. S. Weiner  
Secretary

ANNEX I

RESOLVED, that, whereas (1) this Corporation will be the legal and beneficial owner of all of the outstanding shares of the Common Stock, par value \$100 per share ("Common Stock"), of PB Diagnostic Systems, Inc., a Delaware corporation ("PBDS"), (2) the Common Stock is the only issued and outstanding class of stock of PBDS, and (3) this Corporation desires to merge itself with and into PBDS (the "Merger") pursuant to the provisions of Section 253 of the General Corporation Law of the State of Delaware, therefore, subject to the approval of the sole stockholder of this corporation, this Corporation shall be merged with and into PBDS; and further

RESOLVED, that the terms and conditions of the Merger shall be as set forth in the Plan of Merger presented to this meeting, which is incorporated into these resolutions by this reference thereto; and further

RESOLVED, that, as provided in the aforesaid Plan of Merger, the name of the surviving corporation in the merger shall be changed to Bahrng Diagnostics Inc.; and further

RESOLVED, that the aforesaid Plan of Merger be submitted to the sole stockholder of this Corporation for its approval; and further

RESOLVED, that the President of this Corporation be and he hereby is authorized to make and execute, and the Secretary of this Corporation be and she hereby is authorized to attest, a Certificate of Ownership and Merger setting forth a copy of these resolutions providing for the Merger and the date of adoption hereof, and to cause the same to be filed with the Secretary of State of Delaware and a certified copy recorded in the Office of the Recorder of Deeds, and to do all acts and things, whatsoever, whether within or without the State of Delaware, which may be in any way necessary or appropriate to effect the Merger.