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LAW OFFICES

# NIKOLAI, MERSEREAU & DIETZ, P.A.

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PATENTS  
TRADE MARKS  
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UNFAIR COMPETITION

07-06-1999

6/28/99

June 24, 1999



RECORDATION FORM COVER SHEET

101084336

TRADEMARKS ONLY

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OUR FILE NO. 990112

BOX ASSIGNMENTS/FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original document or copy thereof.

1. Name of Party(ies) conveying an interest:  
Sulzer Intermedics, Inc.

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

2. Name and Address of Party(ies) receiving an interest:

Name: Intermedics, Inc.  
Street Address: 4100 Hamline AVenue No.  
City: St. Paul  
State: Minnesota Zip: 55112-5798

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State of Delaware  
 Other \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic representative designated is attached:  Yes  No  
(Designation must be a separate document from Assignment)

3. Nature of Conveyance:

Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Execution Date: February 19, 1999

07/02/1999 BNGUYEN 00000184 1742225

01 FC:481

40.00 00

TRADEMARK  
REEL: 001923 FRAME: 0562

4. Application number(s) or registration number(s):  
A. Trademark Application No.(s)  
  
B. Trademark Registration No.(s)  
1,742,225
5. Name and address of party of whom correspondence concerning document should be mailed:  
Name: James T. Nikolai, Esq.  
NIKOLAI, MERSEREAU & DIETZ, P.A.  
Street Address: 900 Second Avenue South, #820  
City: Minneapolis State: MN Zip: 55402-3325
6. Number of applications and registrations involved: one
7. Total Fee (37 CFR 3.41): \$40.00  
 A check is enclosed.
8. The Commissioner is authorized to charge any fees or refund any overpayment under 37 CFR 2.6 which may be required by this paper to Deposit Account No. 08-1265.

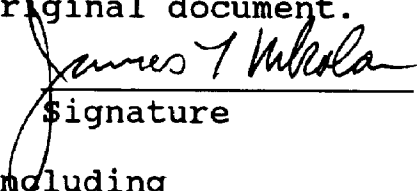
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DO NOT USE THIS SPACE

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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.

James T. Nikolai  
Name of Person Signing

  
Signature

Date: June 25, 1999

Total number of pages including cover sheet, attachments and document: 5

CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION  
OF  
SULZER INTERMEDICS INC.  
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Sulzer Intermedics Inc., a corporation duly organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "Corporation"),

DOES HEREBY CERTIFY:

FIRST: That the Board of Directors of said corporation, by the unanimous written consent of its members, filed with the minutes of the Board, adopted a resolution proposing and declaring advisable the following amendment to the Certificate of Incorporation of said corporation:

That Article I of the Corporation's Articles of Incorporation is hereby deleted and the following is substituted in lieu thereof:

**"ARTICLE I**

The name of the corporation is Intermedics Inc. (hereinafter referred to as the "Corporation")."


SECOND: That the sole stockholder has given written consent to said amendment in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware.

THIRD: That the aforesaid amendment was duly adopted in accordance with the applicable provisions of Section 242 and 228 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, Sulzer Intermedics Inc. has caused this certificate to  
be executed by its authorized officer, on this 17<sup>th</sup> day of February, 1999.

*fill* SULZER INTERMEDICS INC.

by:

  
Name: E. Jay Graf  
Title: President

Office of the Secretary of State

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 "SULZER INTERMEDICS INC.", CHANGING ITS NAME FROM "SULZER INTERMEDICS INC." TO "INTERMEDICS INC.", FILED IN THIS OFFICE ON THE NINETEENTH DAY OF FEBRUARY, A.D. 1999, AT 4:30 O'CLOCK P.M.

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



*Edward J. Freel*

Edward J. Freel, Secretary of State

2248962 8100

AUTHENTICATION: 9588177

991067261

RECORDED: 06/28/1999

TRADEMARK  
DATE 02-22-99  
REEL: 001923 FRAME: 0566