



Tab settings

11/29/99 Re

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

1. Name of conveying party(ies):
Datex-Engstrom, Inc.
Ohmeda, Inc.

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

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

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

Name: **Datex-Ohmeda, Inc.**

Internal Address: _____

Street Address: **3 Highwood Drive**

City: **Tewksbury** State: **MA** ZIP: **01876**

Individual(s) citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation-State **Delaware**
 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

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: **December 18, 1998**

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

A. Trademark Application No.(s)

Additional numbers Yes No

B. Trademark Registration No.(s)

1,819,438

Yes No

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

Name: **Thomas R. Marsh, Esquire**

Internal Address: **Suite 4100**

Street Address: **1700 Lincoln Street**

City: **Denver** State: **CO** ZIP: **80203**

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:

08-2665

12/13/1999 TTON11 00000110 1819438
01 FC:481

DO NOT USE THIS SPACE

40.00 DP

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 R. Marsh

Name of Person Signing

Signature

November 29, 1999

Date

Total number of pages including cover sheet, attachments, and

4

04-07-1999

MRD
3-24-99



101004860

Docket No.:

41942-10000

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please forward the attached original documents or copy thereof.

1. Name of conveying party(ies):

Name and address of receiving party(ies):

Datex-Engstrom, Inc.
Ohmeda Inc.

Datex-Ohmeda, Inc.

03-24-1999

U.S. Patent & TMO/TM Mail Rcpt Dt. #26

Address:

- Individual(s)
- General Partnership
- Corporation-State **Delaware**
- Other

- Association
- Limited Partnership

Street Address: **3 Highwood Drive**

City: **Tewksbury** State: **MA** ZIP: **01876**

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

Individual(s) citizenship

Association

General Partnership

Limited Partnership

Corporation-State **Delaware**

Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

(Designations must be a separate document from Assignment)

Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:

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

Execution Date: **December 18, 1998**

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

A. Trademark Application No.(s)

75/391,821 75/641,122
75/569,386
75/458,936

B. Trademark Registration No.(s)

³
1,819,458 1,489,205
1,819,439 2,003,149
1,549,029 1,458,198

Additional numbers attached? Yes No

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

Name: **Thomas R. Marsh, Esq.**

Internal Address: **Suite 4100**

Refund Ref: **04/06/1999 DNGUYEN 0000079948**

CHECK Refund Total: **\$135.00**

Street Address: **1700 Lincoln Street**

City: **Denver** State: **CO** ZIP: **80203**

6. Total number of applications and registrations involved: **10**

7. Total fee (37 CFR 3.41): \$ **400.00**

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

08-2665

04/06/1999 DNGUYEN 00000113 1819458

DO NOT USE THIS SPACE

01 FC:481 40.00 OP
02 FC:482 225.00 OP

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 R. Marsh
Name of Person Signing

3/22/99
Date

Total number of pages including cover sheet, attachments, and document: **4**

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 MERGER, WHICH MERGES:

"DATEX-ENGSTROM, INC.", A DELAWARE CORPORATION,

WITH AND INTO "OHMEDA INC." UNDER THE NAME OF "DATEX-OHMEDA, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-EIGHTH DAY OF DECEMBER, A.D. 1998, AT 11:35 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE THIRTY-FIRST DAY OF DECEMBER, A.D. 1998.

2224876 8100M

991076942



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

Edward J. Freel, Secretary of State
9602066

AUTHENTICATION: 03-01-99

DATE:

TRADEMARK
REEL: 001998 FRAME: 0926

CERTIFICATE OF MERGER

OF

DATEX-ENGSTROM, INC.

INTO

OHMEDA INC.

Pursuant to the provisions of Section 251 *et seq.* of the Delaware General Corporation Law, the undersigned corporations, each of whom exists under and by virtue of the General Corporation Law of Delaware, adopt the following Certificate of Merger for the purpose of merging Dutex-Engstrom, Inc. into Ohmeda Inc.,

DO HEREBY CERTIFY:

I. Constituent Corporations: The constituent corporations, Ohmeda Inc. and Dutex-Engstrom, Inc. are each incorporated in Delaware.

II. Agreement of Merger. That an Agreement of Merger between the parties to the merger has been approved, adopted, certified, executed and acknowledged by each constituent corporation in accordance with the requirements of Section 251 of the General Corporation Law of Delaware.

III. Surviving Corporation. The name of the surviving corporation is Ohmeda Inc., which shall hereinafter be changed to Dutex-Ohmeda, Inc.

IV. Amendment of Certificate of Incorporation. That the amendments in the Certificate of Incorporation of Ohmeda Inc., the surviving corporation, as to be effected by the merger are as follows:

Article 1 of the Certificate of Incorporation shall be amended to change the name of the surviving corporation from Ohmeda Inc. to Dutex-Ohmeda, Inc.

V. Executed Agreement of Merger. That the executed Agreement of Merger is on file at the office of the surviving corporation, located at 3 Highwood Drive, Tewksbury, Massachusetts 01876.

VI. Copy of Agreement of Merger. That a copy of the Agreement of Merger will be furnished by the surviving corporation, on request and without cost, to any stockholder of any constituent corporation.

VII. Effective Date. This Certificate of Merger shall be effective at the close of business on December 31, 1998.

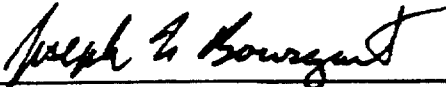
IN WITNESS WHEREOF, Ohmeda Inc. has caused this Certificate of Merger to be signed by Richard Atkin, its President, and Joseph Bourgart, its Secretary, on the date set forth below.

OHMEDA INC.



Richard Atkin, President

ATTEST:



Joseph F. Bourgart, Secretary

December 18, 1998

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 MERGER, WHICH MERGES:

"DATEX-ENGSTROM, INC.", A DELAWARE CORPORATION, WITH AND INTO "OHMEDA INC." UNDER THE NAME OF "DATEX-OHMEDA, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-EIGHTH DAY OF DECEMBER, A.D. 1998, AT 11:35 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE THIRTY-FIRST DAY OF DECEMBER, A.D. 1998.



2224876 8100M

991076942

Edward J. Freel

Edward J. Freel, Secretary of State
9602066

AUTHENTICATION: 03-01-99

DATE:

TRADEMARK

REEL: 001998 FRAME: 0929

CERTIFICATE OF MERGER

OF

DATEX-ENGSTROM, INC.

INTO

OHMEDA INC.

Pursuant to the provisions of Section 251 *et seq.* of the Delaware General Corporation Law, the undersigned corporations, each of whom exists under and by virtue of the General Corporation Law of Delaware, adopt the following Certificate of Merger for the purpose of merging Dutex-Engstrom, Inc. into Ohmeda Inc.,

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IN WITNESS WHEREOF, Ohmeda Inc. has caused this Certificate of Merger to be signed by Richard Atkin, its President, and Joseph Bourgart, its Secretary, on the date set forth below.

OHMEDA INC.

Handwritten signature of Richard Atkin in black ink, consisting of the letters 'RAA' in a stylized, cursive font.

Richard Atkin, President

ATTEST:

Handwritten signature of Joseph F. Bourgart in black ink, written in a cursive style.

Joseph F. Bourgart, Secretary

December 18, 1998

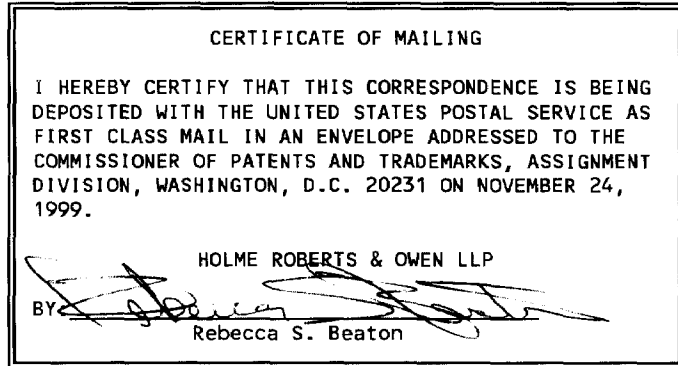
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Registration of:)
)
 Datex-Ohmeda, Inc.)
 Tewksbury, Massachusetts)
)
 Registration No.: 1,819,438)
)
 Registration Date: February 1, 1994)
)
 Mark: "OXYTIP")
)
 Atty. File No.: 41942-00800)

T.M. Law Office:

T.M. Examiner:

REQUEST FOR CORRECTION OF
T I T L E D O C U M E N T A T I O N
R E C O R D A T I O N



BOX ASSIGNMENTS
 Commissioner of Patents and Trademarks
 Assignment Division
 North Tower Building, Suite 10C35
 Washington, D.C. 20231

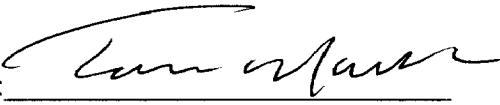
Dear Sir:

This is a request for correction of title documentation recordation. Specifically, a recordation request corresponding with the above-referenced registration was filed March 22, 1999, (copy attached). The recordation cover form sheet for such request incorrectly requested recordation of the associated merger/name change documentation against U.S. Trademark Registration No. 1,819,4~~5~~8, as opposed to the correct Registration No. 1,819,4~~3~~8. Correspondingly, the Notice of Recordation mailed on June 15, 1999 (copy attached) incorrectly reflects recordation of the relevant title documentation against Registration No. 1,819,458 as opposed to the correct Registration No. 1,819,438. Correction of the title documentation recordation is requested in accordance with the red-lined changes made to the attached copies of the noted documents.

Further, Applicant has submitted herewith a new recordation form cover sheet and a check for \$40.00. Please credit any overpayment or debit any underpayment associated with this request to deposit account no. 08-2665.

Respectfully submitted,

HOLME ROBERTS & OWEN LLP

By: 

Thomas R. Marsh, Esq.
Registration No. 31,039
1700 Lincoln Street, Suite 4100
Denver, Colorado 80203-4541
(303) 866-0278

Date: 11/24/99