

3-26-01

04-11-2001

FORM PTO-1618A  
Expires 08/30/99  
OMB 0651-0027

101659888

U.S. Department of Commerce  
Patent and Trademark Office  
**TRADEMARK****RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY**

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

**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

Effective Date  
Month Day Year

Change of Name



Other

**Conveying Party**

Mark if additional names of conveying parties attached

Name Delmed, Inc.

Execution Date  
Month Day Year  
12 27 91

Formerly



Individual



General Partnership



Limited Partnership



Corporation



Association



Other



Citizenship/State of Incorporation/Organization

Massachusetts

**Receiving Party**

Mark if additional names of receiving parties attached

Name Fresenius USA, Inc.

DBA/AKA/TA

Composed of

Address (line 1)

Two Ledgemont Center

Address (line 2)

95 Hayden Avenue

Address (line 3)

Lexington

City

MA

State/Country

02173

Zip Code



Individual



General Partnership



Limited Partnership



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.)



Corporation



Association



Other



Citizenship/State of Incorporation/Organization

Massachusetts

04/10/2001 TDIAZ1 00000190 1973584

01 FC:481

40.00 OP

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231**TRADEMARK**  
**REEL: 002267 FRAME: 0947**

**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"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

<input type="text" value="1973584"/>	<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 ☒

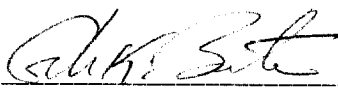
No ☐

**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.

Glenn K. Beaton, #30,995

Name of Person Signing



Signature

1/26/01

Date Signed

# The Commonwealth of Massachusetts

OFFICE OF THE MASSACHUSETTS SECRETARY OF STATE  
MICHAEL JOSEPH CONNOLLY, Secretary  
ONE ASHBURTON PLACE, BOSTON, MASSACHUSETTS 02108

## ARTICLES OF AMENDMENT General Laws, Chapter 156B, Section 72

FEDERAL IDENTIFICATION  
NO. 04-2550576

We Ben J. Lipps  
Robert E. Farrell

, President/Vice President, and  
Clerk/Assistant Clerk of

DELMED, INC.

(EXACT Name of Corporation)

located at: c/o CT Corporation System, 2 Oliver Street, Boston, MA  
(MASSACHUSETTS Address of Corporation)

do hereby certify that these ARTICLES OF AMENDMENT affecting Articles NUMBERED: 1 & 3

(Number those articles 1, 2, 3, 4, 5 and/or 6 being amended hereon)

of the Articles of Organization were duly adopted at a meeting held on December 27 19 91, by  
vote of:

with respect to the Article 1 Amendment

39,337,969 shares of common stock out of 46,860,316 shares outstanding,  
type, class & series, (if any)  
Series F

200,000 shares of Preferred out of 200,000 shares outstanding, and  
type, class & series, (if any)

with respect to the Article 3 Amendment

57,534,796 votes shares of common & preferred out of 76,151,571 votes shares outstanding,  
type, class & series, (if any)

\*voting together as a single class (1 share common = 1 vote; 1 share preferred =  
CROSS OUT being at least a majority of each type, class or series outstanding and entitled to vote 146.46

INAPPL- thereon: -- with respect to the Article 1 Amendment votes)

CABLE being at least two-thirds of each type, class or series outstanding and entitled to vote

CLAUSE thereon and of each type, class or series of stock whose rights are adversely affected  
thereby: -- with respect to the Article 3 Amendment

VOTED: That Article 1 of this Corporation's Articles of Organization be and  
hereby is amended to change this Corporation's name from "Delmed, Inc."  
to "Fresenius USA, Inc."

VOTED: That Article 3 of this Corporation's Articles of Organization be and  
hereby is amended by decreasing the authorized capital stock of this  
Corporation from 100,000,000 shares of Common Stock, \$.01 par value,  
to 30,000,000 shares of Common Stock, \$.01 par value.

C ☒  
P ☐  
M ☐  
R.A. ☐

- 1 For amendments adopted pursuant to Chapter 156B, Section 70.
- 2 For amendments adopted pursuant to Chapter 156B, Section 71.

Note: If the space provided under any Amendment or item on this form is insufficient, additions shall be set forth on separate  
8 1/2 x 11 sheets of paper leaving a left-hand margin of at least 1 inch for binding. Additions to more than one Amendment may  
be continued on a single sheet so long as each Amendment requiring each such addition is clearly indicated.

P.C.

TRADEMARK

REEL: 002267 FRAME: 0949

To **CHANGE** the number of shares and the par value (if any) of any type, class or series of stock which the corporation is authorized to issue, fill in the following:

The total presently authorized is:

**WITHOUT PAR VALUE STOCKS**

TYPE	NUMBER OF SHARES
COMMON:.....	.....
.....	.....
PREFERRED:.....	.....
.....	.....

**WITH PAR VALUE STOCKS**

TYPE	NUMBER OF SHARES	PAR VALUE
COMMON:.....	100,000,000.....	\$.01.....
.....	.....	.....
PREFERRED:.....	600,000.....	\$1.00.....
.....	.....	.....

**CHANGE** the total authorized to:

**WITHOUT PAR VALUE STOCKS**

TYPE	NUMBER OF SHARES
COMMON:.....	.....
.....	.....
PREFERRED:.....	.....
.....	.....

**WITH PAR VALUE STOCKS**

TYPE	NUMBER OF SHARES	PAR VALUE
COMMON:.....	30,000,000.....	\$.01.....
.....	.....	.....
PREFERRED:.....	600,000.....	\$1.00.....
.....	.....	.....

TRADEMARK

REEL: 002267 FRAME: 0950

CONSENT TO USE OF NAME

FRESENIUS U.S.A., INC., a corporation  
organized under the laws of the State of California, hereby  
consents to the organization-~~qualification~~ of Presenius USA, Inc.  
in the State of Massachusetts.

IN WITNESS WHEREOF, the said FRESENIUS U.S.A. INC.  
\_\_\_\_\_ has caused this consent to be executed by its vice president  
and attested under its corporate seal by its \_\_\_\_\_ secretary, this 27<sup>th</sup> day of  
December 19 91.

FRESENIUS U.S.A. INC.  
By Heinz Schmidt, Vice President

Attest:

Rudi Moser Secretary  
Rudi Moser

(SEAL)

Massachusetts  
(GENERAL - 500 - 7/1/90)

The foregoing amendment will become effective when these articles of amendment are filed in accordance with Chapter 156B, Section 6 of The General Laws unless these articles specify, in accordance with the vote adopting the amendment, a later effective date not more than thirty days after such filing, in which event the amendment will become effective on such later date. **EFFECTIVE DATE:** December 30, 1991

**IN WITNESS WHEREOF AND UNDER THE PENALTIES OF PERJURY**, we have hereunto signed our names this 27<sup>th</sup> day of December, in the year 1991.

Ben Lipps  
Ben J. Lipps

\_\_\_\_\_  
President/Vice President

Robert E. Farrell  
Robert E. Farrell

\_\_\_\_\_  
Clerk/Assistant Clerk

TRADEMARK

REEL: 002267 FRAME: 0952

381143

1467

SECRETARY OF  
COMMONWEALTH  
1991 DEC 30 PM 2:41  
REGISTRATION DIVISION

THE COMMONWEALTH OF MASSACHUSETTS

ARTICLES OF AMENDMENT

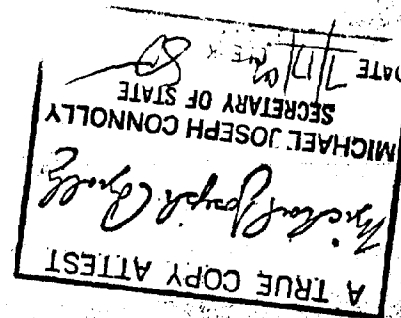
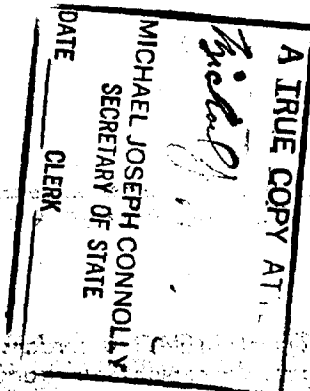
GENERAL LAWS, CHAPTER 156B, SECTION 72

I hereby approve the within articles of amendment and, the filing fee in the  
amount of \$ 200 - having been paid, said articles are deemed to have  
been filed with me this 30TH day of DECEMBER

1991

*Michael J. Connolly*

MICHAEL JOSEPH CONNOLLY  
Secretary of State



TO BE FILLED IN BY CORPORATION

PHOTOCOPY OF ARTICLES OF AMENDMENT TO BE SENT

TO:

Jacqueline E. Camp, Esq.

Ropes & Gray

One International Place

Boston, MA 02110

Telephone: (617) 951-7321

TRADEMARK