

06-25-2001

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Docket No.:

41803/4

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To the Honorable Commissioner of F

ie attached original documents or copy thereof.

1. Name of conveying party(ies):

Henley Operating Company

6-12-01

06-12-2001

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

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

Name: Maxxim Medical, Inc.

Internal Address: 10300 49th Street North

Street Address: 10300 49th Street North

City: Clearwater State: FL ZIP: 33762

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

- Association
- Limited Partnership

Additional names(s) of conveying party(ies) 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 designation is Yes N
(Designations must be a separate document from Additional name(s) & address(es) Yes N

3. Nature of conveyance:

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

Execution Date: May 17, 1993

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1147579

Additional numbers Yes No

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

Name: Kenneth M. Bush

Internal Address: Sirote & Permutt, P.C.

P.O. Box 55727

Birmingham, AL 35255-5727

Street Address: 2311 Highland Ave. South

Birmingham, AL 35205

City: Birmingham

State: AL ZIP: 35255

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:

501346

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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.

Kenneth M. Bush

Name of Person Signing

Signature

6-8-01

Date

Total number of pages including cover sheet, attachments, and

State of Delaware
Office of the Secretary of State PAGE 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 "HENLEY OPERATING COMPANY", CHANGING ITS NAME FROM "HENLEY OPERATING COMPANY" TO "MAXXIM MEDICAL, INC.", FILED IN THIS OFFICE ON THE NINETEENTH DAY OF MAY, A.D. 1993, AT 10 O'CLOCK A.M.



Edward J. Freel

Edward J. Freel, Secretary of State

AUTHENTICATION:

DATE: 7255575

09-29-94

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CERTIFICATE OF AMENDMENT
OF THE
CERTIFICATE OF INCORPORATION
OF
HENLEY OPERATING COMPANY

* * * * *

Henley Operating Company, a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "Corporation"), certifies as follows:

FIRST: That the sole director of the Corporation, by unanimous written consent without a meeting in accordance with the provisions of Section 141(f) of the General Corporation Law of the State of Delaware, duly adopted a resolution setting forth a proposed amendment to the Certificate of Incorporation of the Corporation, declaring the amendment to be advisable and authorizing the admission of the amendment to the sole shareholder of the Corporation for consideration thereof. The resolution setting forth the proposed amendment to the Certificate of Incorporation of the Corporation is as follows:

RESOLVED, that the sole director deems it advisable and in the best interest of the Corporation, and recommends to the sole shareholder, that the Certificate of Incorporation of the Corporation be amended by changing Article First thereof so that, as amended, Article First will read as follows:

"~~First~~: The name of the Corporation is Maxxim Medical, Inc."

SECOND: That in lieu of a meeting and vote of stockholders, the sole stockholder has given written consent to the amendment in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware.

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

FOURTH: That this Certificate of Amendment of the Certificate of Incorporation has been executed by its President, and attested by its Secretary and shall be filed and recorded in accordance with Section 103 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, the Corporation has caused this certificate to be signed and attested by its duly authorized officers this 17th day of May, 1993.

HENLEY OPERATING COMPANY

By: 

Kenneth W. Davidson, President

ATTEST:

By: 

Kenneth W. Davidson, Secretary