

09-10-2001

Form PTO-1594

(Rev. 03/01)

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U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

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

1. Name of conveying party(ies):  
**Henley Operating Company**

9-5-01

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

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

3. Nature of conveyance:

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

Execution Date: **5/17/93**

2. Name and address of receiving party(ies)

Name: **Maxxim Medical, Inc.**

Internal

Address: \_\_\_\_\_

Street Address: **104 Industrial Blvd.**

City: **Sugarland** State: **TX** Zip: **77478**

- 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

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

**1,496,663**

40E

Additional number(s) attached  Yes  No

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

Name: **David J. Hill**

Internal Address: **Chambliss, Bahne & Stophel**

**1000 Tallan Building**

Street Address: **Two Union Square**

City: **Chattanooga** State: **TN** Zip: **37402**

6. Total number of applications and registrations involved: **4**

7. Total fee (37 CFR 3.41).....\$ **40.00**

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: \_\_\_\_\_

(Attach duplicate copy of this page if paying by deposit account)

**DO NOT USE THIS SPACE**

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.

**David J. Hill**

Name of Person Signing

Signature

**8/31/01**

Date

**4**

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

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

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**TRADEMARK**  
**REEL: 002363 FRAME: 0289**

Office of the Secretary of State

I, HARRIET SMITH WINDSOR, 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.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

2176961 8100

AUTHENTICATION: 1267357

010357826

DATE: 07-27-01

TRADEMARK  
REEL: 002363 FRAME: 0290

**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