

09-11-2002

9/11/02

Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) Tab settings



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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):

Kap Industries, Inc.

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

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

2. Name and address of receiving party(ies)

Name: DEKA Medical, Inc.

Internal Address: Suite 110

Street Address: 4820 Executive Park Court

City: Jacksonville State: FL Zip: 32216

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Florida 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 Merger Security Agreement Change of Name Other

Execution Date: June 23, 1998

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2000064

Additional number(s) attached Yes No

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

Name: Jocelyn R. Dabeau

Internal Address: Thompson & Knight L.L.P.

Street Address: 1700 Pacific Avenue Suite 3300

Dallas Texas 75201 City: State: Zip:

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:

20-0821

(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.

Jocelyn R. Dabeau

Name of Person Signing

Signature

September 10, 2002

Date

4

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

09/11/2002 DBYRNE 00000159 200821 2000064 01 FC:481 40.00 CH

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

004537.000002 dallas 1474054.1

TRADEMARK REEL: 002578 FRAME: 0787

ARTICLES OF MERGER

FILED

OF

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KAP INDUSTRIES, INC.

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

INTO

DEKA MEDICAL, INC.

To the Secretary of State
State of Florida

Pursuant to the provisions of the Florida Business Corporation Act, the Florida parent business corporation and the foreign wholly-owned subsidiary business corporation named below do hereby adopt the following articles of merger.

FIRST: Annexed hereto and made a part hereof is a Plan of Merger for merging KAP Industries, Inc., into DEKA Medical, Inc., as approved by the Board of Directors of the parent corporation on June 23, 1998.

SECOND: The merger of KAP Industries, Inc. with and into DEKA Medical, Inc., is permitted by the laws of the jurisdiction of organization of KAP Industries, Inc., and is in compliance with said laws. The date of adoption of the Plan of Merger by the Board of Directors of KAP Industries, Inc., was June 23, 1998.

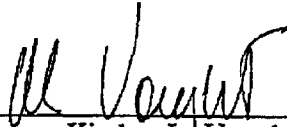
THIRD: As to DEKA Medical, Inc., the aforesaid Plan of Merger was adopted in accordance with the provisions of the Florida Business Corporation Act on June 23, 1998.

FOURTH: Shareholder approval was not required for the merger.

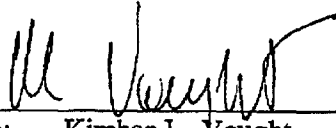
Florida Subsidiary Merger - Foreign Subsidiary
into Domestic Parent 3/96.1

Executed on this 23rd day of June, 1998.

KAP INDUSTRIES, INC.

By: 
Name: Kimber L. Vought
Capacity: President

DEKA MEDICAL, INC.

By: 
Name: Kimber L. Vought
Capacity: President

PLAN OF MERGER
OF
KAP INDUSTRIES, INC.
AND
DEKA MEDICAL, INC.

1. DEKA Medical, Inc., which is a business corporation of the State of Florida and is the owner of all of the outstanding shares of KAP Industries, Inc., which is a business corporation of the State of Georgia, hereby merges KAP Industries, Inc., into DEKA Medical, Inc., pursuant to the provisions of the laws of the State of Georgia and pursuant to the provisions of the Florida Business Corporation Act.

2. The separate existence of KAP Industries, Inc., shall cease at the effective time and date of the merger pursuant to the provisions of the laws of the jurisdiction of its organization; and DEKA Medical, Inc. shall continue its existence as the surviving corporation pursuant to the provisions of the Florida Business Corporation Act.

3. The issued shares of KAP Industries, Inc., shall not be converted in any manner, but each said share which is issued immediately prior to the effective time and date of the merger shall be surrendered and extinguished.

4. The Board of Directors and the proper officers of KAP Industries, Inc., are hereby authorized, empowered, and directed to do any and all acts and things, and to make, execute, deliver, file, and/or record any and all instruments, papers, and documents which shall be or become necessary, proper, or convenient to carry out or put into effect any of the provisions of the Plan of Merger or of the merger herein provided for.

Florida Subsidiary Merger - Foreign Subsidiary
into Domestic Parent 3/96-3