

703-306-5995

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

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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

Tab settings ⇒ ⇒ ⇒ ▼ ▼ ▼ ▼ ▼ ▼ ▼

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

1. Name of conveying party(ies):

Personal Health Technologies Corporation
225 Friend Street
Boston, Massachusetts 02114

- Individual(s)
- General Partnership
- Association
- Limited Partnership

- Corporation-State **Massachusetts**
- Other: _____

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

2. Name and address of receiving party(ies)

Name: **Personal Health Technologies Corp.**

Internal Address: _____

Street Address: **225 Friend Street**

City: **Boston** State: **MA** Zip: **02114**

- 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
- Merger
- Change of Name
- Other _____

Execution Date: **February 26, 1998**

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)
2295292 PHT

Additional number(s) attached Yes No

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

Name: **Michael Bevilacqua, Esquire**

Internal Address: **Hale and Dorr LLP**

Street Address: **60 State Street**

City: **Boston** State: **Massachusetts** Zip: **02109**

6. Total number of applications and registrations involved: **ONE (1)**

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

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: **08-0219**
(Attach duplicate copy of this page if paying by deposit account)

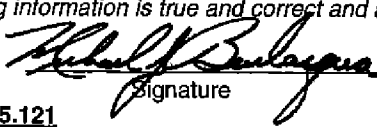
DO NOT USE THIS SPACE

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.

Michael Bevilacqua, Esquire

Name of Person Signing



Signature

April 28, 2003

Date

Hale and Dorr LLP Attorney Reference Number: **112.995.121**

Total number of pages including cover sheet, attachments, and document: **5**

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

Return Fax - 617-526-5000

State of Delaware

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:

"PERSONAL HEALTH TECHNOLOGIES LIMITED PARTNERSHIP", A MASSACHUSETTS LIMITED PARTNERSHIP,

"PERSONAL HEALTH TECHNOLOGIES CORP.", A MASSACHUSETTS CORPORATION,

WITH AND INTO "PERSONAL HEALTH TECHNOLOGIES CORP." UNDER THE NAME OF "PERSONAL HEALTH TECHNOLOGIES CORP.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-SIXTH DAY OF FEBRUARY, A.D. 1998, AT 2 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Handwritten signature of Edward J. Freel

Edward J. Freel, Secretary of State

2800794 8100M

981075441

AUTHENTICATION:

8943501

DATE:

TRADEMARK

REEL: 002641 FRAME: 0150

CERTIFICATE OF MERGER
OF
PERSONAL HEALTH TECHNOLOGIES LIMITED PARTNERSHIP
(a Massachusetts limited partnership)
&
PERSONAL HEALTH TECHNOLOGIES CORP.
(a Massachusetts corporation)
INTO
PERSONAL HEALTH TECHNOLOGIES CORP.
(a Delaware corporation)

(UNDER SECTIONS 103 and 263 OF THE GENERAL
CORPORATION LAW OF THE STATE OF DELAWARE)

Personal Health Technologies Corp., a Delaware corporation ("PHT Delaware"), which desires to merge with Personal Health Technologies Limited Partnership, a Massachusetts limited partnership (the "Partnership") and Personal Health Technologies Corp., a Massachusetts corporation ("PHT Massachusetts"), pursuant to the provisions of Section 252 of the General Corporation Law of the State of Delaware hereby certifies that:

- (1) The names and states of incorporation of each of the constituent entities (the "Constituent Entities") that plan to merge hereby are:
 - (a) Personal Health Technologies Limited Partnership, a Massachusetts limited partnership;
 - (b) Personal Health Technologies Corp., a Massachusetts corporation; and
 - (c) Personal Health Technologies Corp., a Delaware corporation.
- (2) An agreement of merger has been approved, adopted, certified, executed and acknowledged by each of the Constituent Entities in accordance with the provisions of subsection (c) of Section 252 of the General Corporation Law of the State of Delaware.
- (3) The surviving corporation is PHT Delaware, and the name of the surviving corporation is Personal Health Technologies Corp. (the "Surviving Corporation").

207289

TRADEMARK

IN WITNESS WHEREOF, Personal Health Technologies Corp. has caused this certificate to be signed by its President as of the 23rd day of February, 1998.

PERSONAL HEALTH TECHNOLOGIES CORP.,
a Delaware Corporation

Allan J. Prager

By: Allan J. Prager
Title: President

STATE OF CALIFORNIA

County of *Contra Costa*

February 23, 1998

Then personally appeared before me the above-named Allan J. Prager and acknowledged the foregoing instrument to be his free act and deed on behalf of Personal Health Technologies Corp.

T. R. Mortimer

Notary Public

My commission expires: *Nov 27, 2001*

SUBSCRIBED AND SWORN TO BEFORE ME

This *23rd* Day of *Feb*, 19 *98*

T. R. Mortimer
NOTARY PUBLIC

