

Form PTO-1594 (Rev. 12-08)
OMB Collection 0651-0027 (exp. 01/31/2009)

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

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies):

Validus Pharmaceuticals, Inc.

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

Citizenship (see guidelines) _____

Additional names of conveying parties attached? Yes No

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? Yes No

Name: Validus Pharmaceuticals LLC

Internal Address: _____

Street Address: 119 Cherry Hill Road, Suite 310

City: Parsippany

State: New Jersey

Country: USA Zip: 07054

- Association Citizenship _____
- General Partnership Citizenship _____
- Limited Partnership Citizenship _____
- Corporation Citizenship _____
- Other LLC Citizenship Delaware

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)

3. Nature of conveyance /Execution Date(s) :

Execution Date(s) December 31, 2008

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

4. Application number(s) or registration number(s) and Identification or description of the Trademark.

A. Trademark Application No.(s)

77/100210; 77/496363

B. Trademark Registration No.(s)

3155034; 693079; 3546060; 1082213; 1122652

Additional sheet(s) attached? Yes No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

77/100210(Validus Pharmaceuticals); 77/496363(Join the Conversation; 3155034(Equetrol); 693079(Marplan); 3546060(Marplan and Design); 1082213(Rocaltrol); 1122652(Bumex)

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

Name: Leslie Gladstone Restaino, Esq

Internal Address: _____

Street Address: Validus Pharmaceuticals LLC, 119 Cherry Hill Road, Suite 310

City Parsippany

State New Jersey Zip: 07054

Phone Number: (973) 265-2777

Fax Number: (973) 265-2770

Email Address: lrestaino@validuspharma.com

6. Total number of applications and registrations involved:

7

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$190.00

- Authorized to be charged to deposit account
- Enclosed

8. Payment Information:

Deposit Account Number _____

Authorized User Name _____

9. Signature:

James Hunter
Signature

1/14/09
Date

James Hunter

Name of Person Signing

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

6

Documents to be recorded (Including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1460, Alexandria, VA 22313-1460

OP \$190.00 77100210

Recordation Form Cover Sheet (For Receiving Party: Validus Pharmaceuticals LLC)

Continuation of Information in Item 1:

Additional Conveying Party:

Fontus Pharmaceuticals, Inc.; Corporation – State of Delaware

Delaware

PAGE 1

The First 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 MERGER, WHICH MERGES:

"FONTUS, INC.", A DELAWARE CORPORATION,

"FONTUS PHARMACEUTICALS, INC.", A DELAWARE CORPORATION,

"KOMANDA GENERAL PARTNER, LLC", A DELAWARE LIMITED LIABILITY COMPANY,

"VALIDUS PHARMACEUTICALS, INC.", A DELAWARE CORPORATION,

WITH AND INTO "VALIDUS PHARMACEUTICALS LLC" UNDER THE NAME OF "VALIDUS PHARMACEUTICALS LLC", A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTY-FIRST DAY OF DECEMBER, A.D. 2008, AT 9:21 O'CLOCK A.M.

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

4337564 8100M

081242102

You may verify this certificate online
at corp.delaware.gov/authver.shtml



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 7056232

DATE: 12-31-08

TRADEMARK

REEL: 003919 FRAME: 0660

State of Delaware
Secretary of State
Division of Corporations
Delivered 09:20 AM 12/31/2008
FILED 09:21 AM 12/31/2008
SRV 081242102 - 4337564 FILE

**CERTIFICATE OF MERGER OF
KONANDA GENERAL PARTNER, LLC
VALIDUS PHARMACEUTICALS, INC.
FONTUS, INC.
FONTUS PHARMACEUTICALS, INC.
AND
VALIDUS PHARMACEUTICALS LLC**

Pursuant to Title 8, Section 264(c) of the Delaware General Corporation Law and Title 6, Section 18-209 of the Limited Liability Company Act, the undersigned limited liability company executed the following Certificate of Merger:

FIRST: The name of the surviving limited liability company is Validus Pharmaceuticals LLC, the name of the domestic limited liability company being merged into this surviving limited liability company is Konanda General Partner, LLC, and the name of the constituent corporations being merged into this surviving limited liability company are:

- (i) Validus Pharmaceuticals, Inc., a Delaware corporation;
- (ii) Fontus, Inc., a Delaware corporation; and
- (iii) Fontus Pharmaceuticals, Inc., a Delaware corporation.

SECOND: An Agreement and Plan of Merger has been approved, adopted, certified, executed and acknowledged by the surviving limited liability company and each of the aforesaid constituent entities in accordance with the provisions of subsection (c) of Section 264 of the General Corporation Law of the State of Delaware and subsection (b) of Section 18-209 of the Limited Liability Company Act of the State of Delaware.

THIRD: The name of the surviving entity in the merger herein certified is Validus Pharmaceuticals LLC which will continue its existence as the surviving limited liability company under its present name upon the effective date of the merger pursuant to the provisions of the Limited Liability Company Act of the State of Delaware.

FOURTH: The merger is to become effective on December 31, 2008.

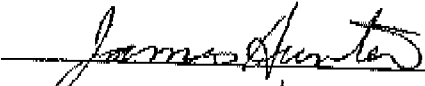
FIFTH: The executed Agreement and Plan of Merger between the aforesaid constituent entities is on file at the office of the surviving limited liability company, the address of which is: 119 Cherry Hill Road, Suite 310, Parsippany, NJ 07054.

SIXTH: A copy of the Agreement and Plan of Merger will be furnished by the surviving limited liability company on request, without cost, to any member of any constituent limited liability company or stockholder of any constituent corporation.

[signature page follows]

IN WITNESS WHEREOF, said limited liability company has caused this certificate to be signed by an authorized person, the 31st day of December, 2008.

VALIDUS PHARMACEUTICALS LLC

By: 
Name: JAMES HUNTER
Title: President Print or Type

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