

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	MERGER		
EFFECTIVE DATE:	12/14/2007		
CONVEYING PARTY DATA			
	Name	Formerly	Execution Date
	Trius Therapeutics, inc.		12/14/2007
CORPORATION: CALIFORNIA			
RECEIVING PARTY DATA			
Name:	Trius Therapeutics, Inc.		
Street Address:	6310 Nancy Ridge Drive		
Internal Address:	Suite 105		
City:	San Diego		
State/Country:	CALIFORNIA		
Postal Code:	92121		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 2			
	Property Type	Number	Word Mark
	Registration Number:	3886582	TRIOUS THERAPEUTICS
	Registration Number:	3886583	TRIOUS THERAPEUTICS
CORRESPONDENCE DATA			
Fax Number:	3108836500		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	(310) 883 6400		
Email:	trademarks@cooley.com		
Correspondent Name:	John Paul Oleksiuk of Cooley LLP		
Address Line 1:	1299 Pennsylvania Avenue, NW, Suite 700		
Address Line 4:	Washington, DISTRICT OF COLUMBIA 20004		
ATTORNEY DOCKET NUMBER:	306814-20000		
NAME OF SUBMITTER:	Drue Koons		

CH \$65.00 3886582

Signature:	/Drue Koons/
Date:	07/28/2013
Total Attachments: 7 source=Trius Reincorporation#page1.tif source=Trius Reincorporation#page2.tif source=Trius Reincorporation#page3.tif source=Trius Reincorporation#page4.tif source=Trius Reincorporation#page5.tif source=Trius Reincorporation#page6.tif source=Trius Reincorporation#page7.tif	

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:

"TRIOUS THERAPEUTICS, INC.", A CALIFORNIA CORPORATION, WITH AND INTO "TRIOUS THERAPEUTICS, INC." UNDER THE NAME OF "TRIOUS THERAPEUTICS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE FOURTEENTH DAY OF DECEMBER, A.D. 2007, AT 4:37 O'CLOCK P.M.

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

4304111 8100M

071326039

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



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 6244588

DATE: 12-17-07

TRADEMARK
REEL: 005080 FRAME: 0074

CERTIFICATE OF MERGER OF
TRIUS THERAPEUTICS, INC., A CALIFORNIA CORPORATION,
INTO
TRIUS THERAPEUTICS, INC., A DELAWARE CORPORATION

(Filed pursuant to Section 252 of the Delaware General Corporation Law)

The undersigned corporations do hereby certify that:

1. The name and state of incorporation of each of the constituent corporations are Trius Therapeutics, Inc., a Delaware corporation ("*Trius-Delaware*"), and Trius Therapeutics, Inc., a California corporation ("*Trius-California*").
2. An Agreement and Plan of Merger dated as of December 14, 2007 has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations, in accordance with the provisions of Section 252(b) of the Delaware General Corporation Law.
3. The name of the corporation surviving the merger is Trius Therapeutics, Inc., a Delaware corporation.
4. In connection with the merger of Trius-California into Trius-Delaware, the Certificate of Incorporation of Trius-Delaware shall remain unchanged.
5. The executed Agreement and Plan of Merger is on file at the principal place of business of the surviving corporation. The address of the principal place of business of the surviving corporation is 6310 Nancy Ridge Drive, Suite 105, San Diego, California 92121, Attention: Secretary.
6. A copy of the Agreement and Plan of Merger will be furnished by the surviving corporation, on request and without cost, to any stockholder or shareholder of any constituent corporation.
7. The authorized capital stock of Trius-California is (i) 52,295,454 shares of Common Stock and (ii) 40,295,454 shares of Preferred Stock, 2,795,454 shares of which are designated Series A-1 Preferred Stock and 37,500,000 shares of which are designated Series A-2 Preferred Stock.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the undersigned have executed this Certificate of Merger as of December 14, 2007.

TRIOUS THERAPEUTICS, INC.,
a California corporation

By: /s/ Jeffrey Stein
Name: Jeffrey Stein, Ph.D.
Its: President and Chief Executive Officer

ATTEST:

By: /s/ John Schmid
Name: John Schmid
Its: Chief Financial Officer

TRIOUS THERAPEUTICS, INC.,
a Delaware corporation

By: /s/ Jeffrey Stein
Name: Jeffrey Stein, Ph.D.
Its: President and Chief Executive Officer

ATTEST:

By: /s/ John Schmid
Name: John Schmid
Its: Chief Financial Officer



State of California
Secretary of State

I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify:

That the attached transcript of 3 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

DEC 19 2007

DEBRA BOWEN
Secretary of State

00888379

Delaware

The First State

PAGE 1

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

DEC 19 2007

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By: /s/ John Schmid
Name: John Schmid
Its: Chief Financial Officer

