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September 5, 2006

RECORDATION FORM COVER SHEET

TRADEMARKS ONLY

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OUR FILE NO. 20010506

Mail Stop Assignment Recordation Services  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

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

1. Name of Party(ies) conveying an interest:  
Birch Point Medical, Inc.

- Individual(s)
- General Partnership
- Corporation-State of Minnesota
- Other \_\_\_\_\_
- Association
- Limited Partnership

2. Name and Address of Party(ies) receiving an interest:

Name: Travanti Pharma Inc.  
Street Address: 2520 Pilot Knob Road  
Suite 100  
City: Mendota Heights  
State: Minnesota Zip: 55120

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State of Minnesota
- Other \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic representative designated is attached:  Yes  No  
(Designation must be a separate document from Assignment)

3. Nature of Conveyance:

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

Execution Date: June 28, 2004

4. Application number(s) or registration number(s):  
A. Trademark Application No.(s)  
B. Trademark Registration No.(s) 2,784,797
5. Name and address of party of whom correspondence concerning document should be mailed:  
Name: C. G. Mersereau, Esq.  
NIKOLAI & MERSEREAU, P.A.  
Street Address: 900 Second Avenue South, #820  
City: Minneapolis State: MN Zip: 55402-3325
6. Number of applications and registrations involved: 1
7. Total Fee (37 CFR 3.41): \$40.00  
\_\_\_ A check is enclosed.
8. The Commissioner is authorized to charge any fees or refund any overpayment under 37 CFR 2.6 which may be required by this paper to Deposit Account No. 08-1265.

**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.

C. G. Mersereau  Date: September 5, 2006  
Name of Person Signing Signature

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

OX-217

DC M CN

**ARTICLES OF MERGER  
OF  
TRAVANTI PHARMA INC.  
WITH AND INTO  
BIRCH POINT MEDICAL, INC.**

Pursuant to Section 302A.621 of the Minnesota Business Corporation Act, the Minnesota parent business corporation hereinafter named does hereby certify that:

**FIRST:** The name of the subsidiary corporation, which is a business corporation of the State of Minnesota, is Travanti Pharma Inc. ("Subsidiary").

**SECOND:** The name of the parent corporation, which is a business corporation of the State of Minnesota, and which is to be the surviving corporation, is Birch Point Medical, Incorporated ("Parent").

**THIRD:** The number of outstanding shares of Subsidiary is 100, all of which are of one class, and all of which are owned by Parent.

**FOURTH:** The following is the Plan of Merger for merging Subsidiary with and into Parent as was approved by the Board of Directors of Parent in the manner prescribed by Section 302A.621 of the Minnesota Business Corporation Act as of June 28, 2004:

1. Parent, which is a business corporation of the State of Minnesota and is the owner of all of the outstanding shares of Subsidiary, which is also a business corporation of the State of Minnesota, hereby merges Subsidiary with and into Parent pursuant to the provisions of the Minnesota Business Corporation Act.

2. The separate existence of Subsidiary shall cease upon the effective date of the merger pursuant to the provisions of the Minnesota Business Corporation Act; and Parent shall continue its existence as the surviving corporation pursuant to the provisions of said Minnesota Business Corporation Act; provided, however, that upon the effectiveness of the merger, Article I of the Amended and Restated Articles of Incorporation of Parent shall be amended to read in its entirety as follows:

The name of the corporation is "Travanti Pharma Inc."

3. The issued shares of Subsidiary shall not be converted in any manner, but each said share which is issued as of the

effective date of the merger shall be surrendered and extinguished.

4. The issued shares of Parent shall not be converted in any manner, but each said share which is issued as of the effective date of the merger shall continue to represent one issued share of Parent.

5. The Board of Directors and the proper officers of Parent 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 this Plan of Merger or of the merger herein provided for.

**FIFTH:** Parent will continue its existence as the surviving corporation pursuant to the provisions of the Minnesota Business Corporation Act; provided, however, that upon the effectiveness of the Merger, Article I of the Amended and Restated Articles of Incorporation of Parent shall be amended to read in its entirety as set forth in the Plan of Merger included in Article FOURTH above.

**SIXTH:** The Merger shall be effective as of the date of filing of these Articles of Merger.

Dated as of this 28<sup>th</sup> day of June, 2004.

BIRCH POINT MEDICAL, INC.

By Walter L. Sembrowich  
Name: Walter L. Sembrowich  
Title: Chief Executive Officer

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED

AUG 31 2004

Henry J. Bump  
Secretary of State *m*

TRADEMARK

REEL: 003387 FRAME: 0676

**STATE OF MINNESOTA**

**DEPARTMENT OF STATE**

I hereby certify that this is a true and complete copy of the document as filed for record in this office.

DATED 31 August 2004

*Mary Hoffmeyer*

Secretary of State



By

*Richard L. [Signature]*