

Form PTO-1594 (Rev. 07/05)
OMB Collection 0651-0027 (exp. 6/30/2008)

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):
Blovest International, Inc.

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

Citizenship _____
(see guidelines)

Additional name(s) of conveying parties attached? Yes No

2. Name and address of receiving party(ies)
Additional names, addresses, or citizenship attached? Yes No
Name: Blovest International, Inc.
Internal Address: _____
Street Address: 377 Plantation Street

City: Worcester
State: Massachusetts
Country: _____ Zip: 01605

Association Citizenship _____
 General Partnership Citizenship _____
 Limited Partnership Citizenship _____
 Corporation Citizenship Delaware
 Other _____ Citizenship: _____

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) July 23, 2001

Assignment Merger
 Security Agreement Change of Name
 Other _____

**THIS IS IN RESPONSE TO DOCUMENT ID
No. 700308524 FROM THE USPTO**

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

A. Trademark Application No.(s) _____
B. Trademark Registration No.(s)
2,379,677
2,379,695

Additional sheet(s) attached? Yes No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):
Registration number(s): [2,379,677] ACUSYST-MAXIMIZER and
[2,379,695] ACUSYST-XCELL

5. Name & address of party to whom correspondence concerning document should be mailed:
Name: Maneesh Gulati
LAHIVE & COCKFIELD, LLP

Internal Address: Atty. Dkt.: BVZ-705 and BVZ-708
Street One Post Office Square
Address: _____

City: Boston State: MA Zip: 02109-2127
Phone Number: (617) 227-7400
Fax Number: (617) 742-4214
Email Address: _____

6. Total number of applications and registrations involved: 2

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 85.00

Authorized to be charged by credit card
 Authorized to be charged to deposit account
 Enclosed

8. Payment information:
a. Credit Card Last 4 Numbers _____
Expiration Date _____
b. Deposit Account Number 501558
Authorized User Name Maneesh Gulati

9. Signature: _____ February 15, 2007
Signature Date
Maneesh Gulati
Name of Person Signing

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

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-0140 at MS Assignment Recordation Services, Director of the US Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: February 15, 2007 Signature: _____ (Maneesh Gulati)

3Z-140

State of Minnesota

SECRETARY OF STATE

Certificate of Merger

I, Mary Kliffmeyer, Secretary of State of Minnesota, certify that: the documents required to effectuate a merger between the entities listed below and designating the surviving entity have been filed in this office on the date noted on this certificate; and the qualification of any non-surviving entity to do business in Minnesota is terminated on the effective date of this merger.

Merger Filed Pursuant to Minnesota Statutes, Chapter: 302A

State of Formation and Names of Merging Entities:

*MN: BIOVEST INTERNATIONAL, INC.
DE: BIOVEST INTERNATIONAL, INC.*

State of Formation and Name of Surviving Entity:

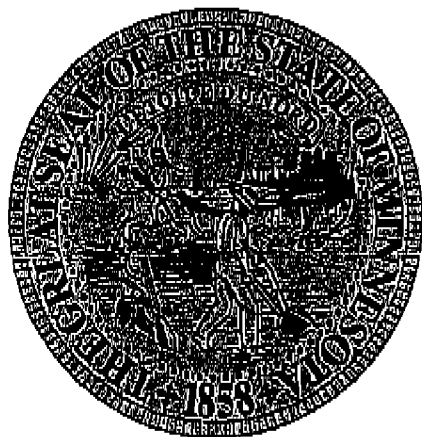
DE: BIOVEST INTERNATIONAL, INC.

Effective Date of Merger: August 3, 2001

Name of Surviving Entity After Effective Date of Merger:

BIOVEST INTERNATIONAL, INC.

This certificate has been issued on: August 3, 2001



Mary Kliffmeyer
Secretary of State.

State of Delaware
Office of the Secretary of State PAGE 1

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:

"BIOVEST INTERNATIONAL, INC.", A MINNESOTA CORPORATION, WITH AND INTO "BIOVEST INTERNATIONAL, INC." UNDER THE NAME OF "BIOVEST INTERNATIONAL, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRD DAY OF AUGUST, A.D. 2001, AT 2 O'CLOCK P.M.

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



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

3362955 8100M

AUTHENTICATION: 1279511

010380593

DATE: 08-06-01 TRADEMARK

AUG-03-2001 01:33

CT CORPORATION

STATE OF DELAWARE
 SECRETARY OF STATE 02/03
 DIVISION OF CORPORATIONS
 FILED 02:00 PM 08/03/2001
 010380593 - 3362955

CERTIFICATE OF MERGER
 of
BIOVEST INTERNATIONAL, INC.
 (a Minnesota corporation)
 into
BIOVEST INTERNATIONAL, INC.
 (a Delaware corporation)

Pursuant to Section 252 of the General Corporation Law of the State of Delaware

Biovest International, Inc., a Delaware corporation (the "*Company*"), hereby certifies the following information relating to the merger of Biovest International, Inc., a Minnesota corporation ("*Biovest Minnesota*"), with and into the Company (the "*Merger*").

1. The names and states of incorporation of the Company and Biovest Minnesota, which are the constituent corporations in the Merger (the "*Constituent Corporations*"), are:

<u>Name</u>	<u>State</u>
Biovest International, Inc.	Delaware
Biovest International, Inc.	Minnesota

2. The Agreement and Plan of Merger dated as of July 20, 2001, between the Company and Biovest Minnesota (the "*Merger Agreement*"), setting forth the terms and conditions of the Merger, has been approved, adopted, certified, executed and acknowledged by each of the Constituent Corporations in accordance with the provisions of Section 252(c) of the General Corporation Law of the State of Delaware.

3. The corporation surviving the Merger is the Company (the "*Surviving Corporation*") and its name shall remain "Biovest International, Inc."

4. Pursuant to the Merger Agreement, the Certificate of Incorporation of the Company in effect immediately prior to the Merger shall be the Certificate of Incorporation of the Surviving Corporation.

5. An executed copy of the Merger Agreement is on file at the principal place of business of the Surviving Corporation which is located at 540 Sylvan Avenue, Englewood Cliffs, NJ 07632.

6. A copy of the Merger Agreement will be furnished by the Surviving Corporation, on request and without cost, to any stockholder of either of the Constituent Corporations.

7. The authorized capital stock of Biovest Minnesota consists of 50,000,000 shares of Common Stock, no par value per share, and 10,000,000 shares of Preferred Stock, \$0.1 per value per share.

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TRADEMARK

AUG-03-2001 01:33

CT CORPORATION

212 315 7965 P.03/03

IN WITNESS WHEREOF, this Certificate of Merger has been executed on July 23, 2001.

BIOVEST INTERNATIONAL, INC.
(a Delaware corporation)

By: 

Name: Dr. Christopher Kyriakides
Title: Chief Executive Officer

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TRADEMARK