

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):**

CAPSTONE PHARMACY SERVICES, INC.

- Individual(s)
- General Partnership
- Corporation- State: DELAWARE
- Other \_\_\_\_\_
- Association
- Limited Partnership

Citizenship (see guidelines) \_\_\_\_\_

Additional names of conveying parties attached?  Yes  No

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

Execution Date(s) 12-3-1997

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

**2. Name and address of receiving party(ies)**

Additional names, addresses, or citizenship attached?  Yes  No

Name: PHARMERICA, INC.

Internal

Address: \_\_\_\_\_

Street Address: 175 KELSEY LANE

City: TAMPA

State: FLORIDA

Country: USA Zip: 33619

- Association
- General Partnership
- Limited Partnership
- Corporation
- 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)

**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)

2,082,083 - CAPSTONE

Additional sheet(s) attached?  Yes  No

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

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

Name: HOWSON & HOWSON LLP

Internal Address: \_\_\_\_\_

Street Address: 501 OFFICE CENTER DRIVE, SUITE 210

City: FORT WASHINGTON

State: PA Zip: 19034

Phone Number: 215-540-9200

Fax Number: 215-540-5818

Email Address: SBKITA@HOWSONANDHOWSON.COM

**6. Total number of applications and registrations involved:**

1

**7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 40.00**

- 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 08-3040

Authorized User Name STANLEY B. KITA

**9. Signature:**

Signature

STANLEY B. KITA

Name of Person Signing

Date

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

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 1450, Alexandria, VA 22313-1450

CH \$40.00 08-3040 2082083

# Delaware

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*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED ARE TRUE AND CORRECT COPIES OF ALL DOCUMENTS ON FILE OF "PHARMERICA, INC." AS RECEIVED AND FILED IN THIS OFFICE.

THE FOLLOWING DOCUMENTS HAVE BEEN CERTIFIED:

CERTIFICATE OF INCORPORATION, FILED THE FIRST DAY OF AUGUST, A.D. 1995, AT 4 O'CLOCK P.M.

CERTIFICATE OF AGREEMENT OF MERGER, FILED THE SECOND DAY OF OCTOBER, A.D. 1995, AT 4 O'CLOCK P.M.

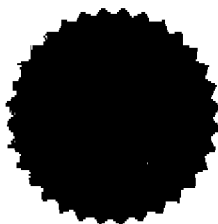
CERTIFICATE OF OWNERSHIP, CHANGING ITS NAME FROM "CHOICE DRUG SYSTEMS, INC." TO "CAPSTONE PHARMACY SERVICES, INC.", FILED THE SECOND DAY OF OCTOBER, A.D. 1995, AT 4:01 O'CLOCK P.M.

CERTIFICATE OF AMENDMENT, FILED THE TWENTIETH DAY OF SEPTEMBER, A.D. 1996, AT 9 O'CLOCK A.M.

CERTIFICATE OF MERGER, CHANGING ITS NAME FROM "CAPSTONE PHARMACY SERVICES, INC." TO "PHARMERICA, INC.", FILED THE THIRD DAY OF DECEMBER, A.D. 1997, AT 5:15 O'CLOCK P.M.

CERTIFICATE OF AMENDMENT, FILED THE THIRD DAY OF DECEMBER, A.D. 1997, AT 5:20 O'CLOCK P.M.

CERTIFICATE OF CHANGE OF REGISTERED AGENT, FILED THE



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

2523151 8100E

020698324

AUTHENTICATION: 2086206

DATE: 11-13-02

TRADEMARK

REEL: 003559 FRAME: 0562

# Delaware

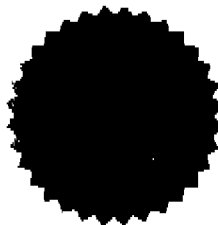
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*The First State*

TWENTIETH DAY OF NOVEMBER, A.D. 1998, AT 9 O'CLOCK A.M.

CERTIFICATE OF MERGER, FILED THE TWENTY-SIXTH DAY OF APRIL,  
A.D. 1999, AT 1:50 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID  
CERTIFICATES ARE THE ONLY CERTIFICATES ON RECORD OF THE  
AFORESAID CORPORATION.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

2523151 8100H

020698324

AUTHENTICATION: 2086206

DATE: 11-13-02  
TRADEMARK

REEL: 003559 FRAME: 0563

**CERTIFICATE OF MERGER**

**OF**

**BEVERLY ENTERPRISES, INC.,**  
a Delaware corporation

**WITH AND INTO**

**CAPSTONE PHARMACY SERVICES, INC.,**  
a Delaware corporation

(Under Section 251 of the General Corporation Law of the State of Delaware)

Capstone Pharmacy Services, Inc. (the "Corporation"), a corporation organized and existing under and by virtue of the Delaware General Corporation Law.

**DOES HEREBY CERTIFY:**

**FIRST:** That, the constituent entities are the Corporation and Beverly Enterprises, Inc., a Delaware corporation ("Beverly"). The Corporation and Beverly are sometimes collectively referred to in this Certificate of Merger as the "Constituent Entities."

**SECOND:** That, each of the Constituent Entities approved, adopted, certified, executed and acknowledged an Agreement and Plan of Merger in accordance with the provisions of Subsection (a) of Section 251 of the Delaware General Corporation Law (the "DGCL").

**THIRD:** That, the Corporation is the surviving corporation pursuant to the merger and that the certificate of incorporation of the Corporation shall be the certificate of incorporation of the surviving corporation. The name of the surviving corporation will be changed to PharMerica, Inc.

**Fourth:** That, an executed copy of the entire Agreement and Plan of Merger is on file at the Corporation's principal place of business, which is located at 9901 East Valley Ranch Parkway, Suite 3001 Irving, TX 75063. In addition, a copy of the Agreement and Plan of Merger will be furnished by the surviving corporation, on request and without cost, to any stockholder of any of the Constituent Entities.

**Fifth:** That, the merger shall become effective upon the filing date of this Certificate of Merger.

159700-1

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 05:15 PM 12/03/1997  
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Sixth: That the Corporation agrees that it may be served with process in the State of Delaware for the enforcement of any of the obligations described in Subsection (d) of Section 251 of the DGCL, and that the Corporation hereby irrevocably appoints the Secretary of State in and for the State of Delaware as its agent to accept such service of process.

IN WITNESS WHEREOF, Capstone Pharmacy Services, Inc. has caused this Certificate of Merger to be signed by James D. Shelton, its Executive Vice President, on this 3<sup>rd</sup> day of December, 1997.

Capstone Pharmacy Services, Inc.

By: /s/ James D. Shelton  
James D. Shelton  
Executive Vice President

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