

PATENTS ONLY

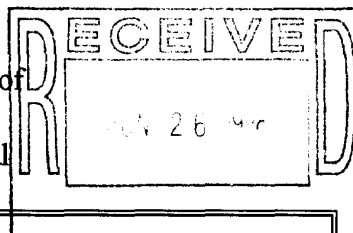
07-08-1998



100756660

ier of

ginal



1. Name of party or parties conveying an interest:

INTERTECH RESOURCES INC. with and into SMITHS INDUSTRIES MEDICAL SYSTEMS, INC.  
(by merger)

2. Name and address of party or parties receiving an interest:

Name: SIMS PORTEX, INC., a Delaware corporation  
Address: 10 Bowman Drive  
City: Keene  
State: New Hampshire  
Zip: 03431

3. Description of the interest conveyed:

☐ Assignment  
☒ Merger  
☒ Change of Name  
☐ Security Agreement

Execution Date: January 1, 1996 and September 30, 1997

Other: 2 Documents: Document 1 merges INTERTECH RESOURCES INC. with and into SMITHS INDUSTRIES MEDICAL SYSTEMS, INC.

Document 2: Change of Name from SMITHS INDUSTRIES MEDICAL SYSTEMS, INC. to SIMS PORTEX, INC.

4. Application number(s) or patent number(s). Additional sheet attached?  
YES \_\_\_\_\_ NO X

A. Patent application no.(s):

If the document is being filed together with a new application, the execution date of the application is:

B. Patent no.(s):

4,753,758

07/08/1998 DEBITES 00000065 4753758

01 FC:581

40.00-00

5. Name and address of party to whom correspondence concerning this cover sheet should be mailed:

Name: Cynthia L. Schaller  
Reg. No. 34,245  
MARSHALL, O'TOOLE, GERSTEIN, MURRAY & BORUN  
Street Address: 6300 Sears Tower,  
233 South Wacker Drive  
City: Chicago  
State: Illinois Zip: 60606-6402

6. Number of applications and/or patents identified on this cover sheet:

1

7. Amount of fee enclosed or authorized to be charged:

\$40.00

8. Any additional required fee may be charged, or any overpayment credited to our deposit account: 13-2855

9. To the best of my knowledge and belief, the information contained on this cover sheet is true and correct and any copy submitted is a true copy of the original document.

Date: Jan 24, 1998

Cynthia L. Schaller  
Cynthia L. Schaller

Reg. No. 34,245

Total number of pages including cover sheet, attachments, and document: 6

PATENT

REEL: 9279 FRAME: 0248

*Office of the Secretary of State*

---

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"INTERTECH RESOURCES INC.", A ILLINOIS CORPORATION,  
WITH AND INTO "SMITHS INDUSTRIES MEDICAL SYSTEMS, INC."  
UNDER THE NAME OF "SMITHS INDUSTRIES MEDICAL SYSTEMS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE FIRST DAY OF FEBRUARY, A.D. 1996, AT 2:01 O'CLOCK P.M.

2059958 8100M

960078156



  
Edward J. Freel, Secretary of State

AUTHENTICATION: 7875376

DATE: 03-21-96

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 02:01 PM 02/01/1996  
960031315 - 2059958

CERTIFICATE OF OWNERSHIP AND MERGER  
MERGING  
INTERTECH RESOURCES INC.  
INTO  
SMITHS INDUSTRIES MEDICAL SYSTEMS, INC.

Pursuant to Section 253 of the General Corporation Law of the State of Delaware (the "Delaware General Corporation Law"), Smiths Industries Medical Systems, Inc. (the "Surviving Corporation"), a corporation organized under and existing by virtue of the Delaware General Corporation Law, does hereby certify as follows:

FIRST: That Intertech Resources Inc. ("Intertech") was incorporated on the 23rd day of May, 1985 pursuant to the Business Corporation Act of the State of Illinois (the "Illinois Business Corporation Act").

SECOND: That all of the outstanding shares of capital stock of the Subsidiary Corporation are owned by the Surviving Corporation, a corporation incorporated on the 22nd day of April, 1985 pursuant to the Delaware General Corporation Law.

THIRD: That the Surviving Corporation, by resolution of its Board of Directors duly adopted by written consent, dated as of January 1, 1996, determined to merge Intertech with and into itself, which resolution stated as follows:

RESOLVED, that this Corporation shall merge Intertech with and into itself and shall assume all the liabilities and obligations of Intertech;

\* \* \* \* \*

IN WITNESS WHEREOF, this Certificate of Ownership and Merger has been duly executed by the undersigned officers this 1st day of January, 1996.

SMITHS INDUSTRIES MEDICAL  
SYSTEMS, INC.

By:

  
David S. Bruyer  
President

ATTEST:

  
Thomas C. Westra  
Secretary

PH02101582.2

*State of Delaware*  
*Office of the Secretary of State*

---

PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "SMITHS INDUSTRIES MEDICAL SYSTEMS, INC.", CHANGING ITS NAME FROM "SMITHS INDUSTRIES MEDICAL SYSTEMS, INC." TO "SIMS PORTEX, INC.", FILED IN THIS OFFICE ON THE TWENTIETH DAY OF OCTOBER, A.D. 1997, AT 3:30 O'CLOCK P.M.

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



Edward J. Freel, Secretary of State

2059958 8100

001254150

AUTHENTICATION:

8715707

DATE:

PATENT  
REEL: 9279 FRAME: 0251

**CERTIFICATE OF AMENDMENT  
TO THE  
CERTIFICATE OF INCORPORATION  
OF  
SMITHS INDUSTRIES MEDICAL SYSTEMS, INC.**

Smiths Industries Medical Systems, Inc. (the "Corporation"), a corporation organized under and by virtue of the General Corporation Law of the State of Delaware (the "Delaware General Corporation Law"), for the purpose of amending its Certificate of Incorporation, pursuant to Section 242(b) of the Delaware General Corporation Law,

**DOES HEREBY CERTIFY:**

**FIRST:** That by the written consent of the Directors of the Corporation, resolutions were duly adopted setting forth a proposed amendment of the Certificate of Incorporation of the Corporation, declaring said amendment to be advisable and directing that said amendment be submitted to the sole stockholder of the Corporation for consideration and approval thereof. The resolutions setting forth the proposed amendment are as follows:

**BE IT FURTHER RESOLVED,** that, pursuant to Section 242 of the General Corporation Law of the State of Delaware, Article 1 of the Certificate of Incorporation of this Corporation be amended in its entirety to read as follows:

1. The name of the corporation is: SIMS PORTEX, INC.

**SECOND:** That thereafter, pursuant to resolution of its Board of Directors, the sole stockholder of the Corporation gave its written consent, in accordance with Section 228 of the Delaware General Corporation Law, to the proposed amendment, which consent was filed with the Secretary of the Corporation.

**THIRD:** That said amendment was duly adopted in accordance with the provisions of Section 242 of the Delaware General Corporation Law.

IN WITNESS WHEREOF, this Certificate of Amendment has been duly executed by the undersigned officers this 13<sup>th</sup> day of September, 1997.

SMITHS INDUSTRIES MEDICAL SYSTEMS, INC.

By: 

Jeffrey R. Spelman  
President

ATTEST:



Thomas C. Westra  
Secretary

P02/199417.2