

09-10-1999

Docket No. 1000.1b3

FORM PTO-1595 (Modified)
(Rev. 6-93)
OMB No. 0651-0011 (exp. 4/94)
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P08/REV02



FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

NTS ONLY

Patent and Trademark Office

SEP 7

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

1. Name of conveying party(ies):
AFFYMETRIX, INC., a California Corporation
MKD
9-7-99

2. Name and address of receiving party(ies):
Name: **Affymetrix, Inc., a Delaware Corporation**
Internal Address:

Additional names(s) of conveying party(ies) Yes No

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other
Execution Date: **September 28, 1998**

Street Address: **3380 Central Expressway**
City: **Santa Clara** State: **CA** ZIP: **95051**
Additional name(s) & address(es) attached? Yes No

4. Application number(s) or registration numbers(s):
If this document is being filed together with a new application, the execution date of the application is:
A. Patent Application No.(s)
08/456,598

B. Patent No.(s)
Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: **Philip L. McGarrigle, Chief IP Counsel**
Internal Address: **Legal Department, Affymetrix, Inc.**
Street Address: **3380 Central Expressway**
City: **Santa Clara** State: **CA** ZIP: **95051**

6. Total number of applications and patents involved: **1**
7. Total fee (37 CFR 3.41):.....\$ **40.00**
 Enclosed - Any excess or insufficiency should be credited or debited to deposit account
 Authorized to be charged to deposit account
8. Deposit account number:
01-0431

09/09/1999 NTHAI1 00000239 010431 08456598

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.
Vern Norviel, Reg. No. 32,483
Name of Person Signing

[Signature]
Signature
9/15/98
Date

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 MERGER, WHICH MERGES:

"AFFYMETRIX, INC.", A CALIFORNIA CORPORATION,
WITH AND INTO "AFFYMETRIX, INC." UNDER THE NAME OF
"AFFYMETRIX, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER
THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS
OFFICE THE TWENTY-NINTH DAY OF SEPTEMBER, A.D. 1998, AT 4
O'CLOCK P.M.



A handwritten signature in black ink, appearing to read "Edward J. Freel".

Edward J. Freel, Secretary of State

2872545 8100M
981437881

AUTHENTICATION: 9404956
DATE: 11-13-98

CERTIFICATE OF MERGER

OF

**AFFYMETRIX, INC.,
a California corporation**

INTO

**AFFYMETRIX, INC.,
a Delaware corporation**

**(UNDER SECTION 252 OF THE GENERAL
CORPORATION LAW OF THE STATE OF DELAWARE)**

Affymetrix, Inc., a Delaware corporation, hereby certifies that:

**(1) The name and state of incorporation of each of the constituent corporations
are:**

- (a) Affymetrix, Inc., a Delaware corporation ("Affymetrix Delaware");
and**
- (b) Affymetrix, Inc., a California corporation ("Affymetrix California").**

**(2) An Agreement of Merger has been approved, adopted, certified, executed and
acknowledged by Affymetrix California and by Affymetrix Delaware in accordance with
the provisions of subsection (c) of Section 252 of the General Corporation Law of the
State of Delaware.**

**(3) The name of the surviving corporation is Affymetrix, Inc., a Delaware
corporation, which will continue its existence as the surviving corporation under its
present name upon the effective date of the merger.**

**(4) The certificate of incorporation of Affymetrix Delaware shall be the certificate
of incorporation of the surviving corporation after the effectiveness of the merger.**

**STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 04:00 PM 09/29/1998
981377659 - 2872545**

(5) The executed Agreement of Merger is on file at the principal place of business of the surviving corporation, Affymetrix Delaware, located at 3380 Central Expressway, Santa Clara, California 95051.

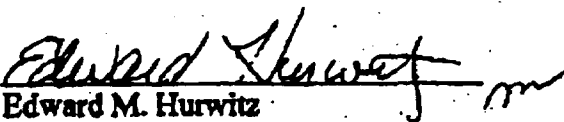
(6) A copy of the Agreement of Merger will be furnished by Affymetrix Delaware, on request and without cost, to any stockholder of Affymetrix California or Affymetrix Delaware.

(7) The authorized capital stock of Affymetrix California is 50,000,000 shares of Common Stock and 27,500,000 shares of Preferred Stock, both at No Par Value.

(8) The effective date of this merger shall be September 29, 1998.

IN WITNESS WHEREOF, Affymetrix Delaware has caused this Certificate of Merger to be signed by Edward M. Hurwitz, Vice President and Chief Financial Officer, on the 29th day of September, 1998.

AFFYMETRIX, INC.,
a Delaware corporation

By: 
Edward M. Hurwitz
Vice President and Chief Financial Officer