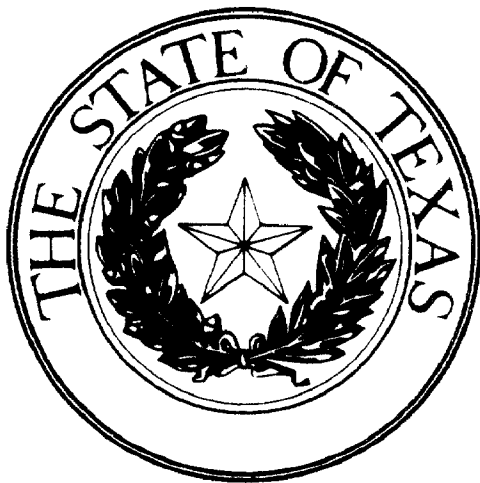




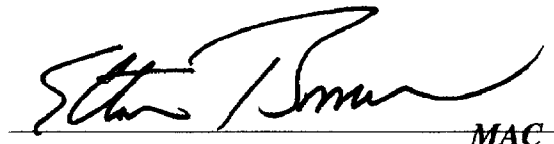
The State of Texas

SECRETARY OF STATE

I, **ELTON BOMER**, Secretary of State of the State of Texas, DO HEREBY CERTIFY that the attached is a copy of the Articles of Merger for **TEXAS MEDICAL PRODUCTS, INC.**, a **TEXAS** corporation, and **LIFESTREAM INTERNATIONAL, INC.**, a **TEXAS** corporation, which was filed in this office on **OCTOBER 06, 1999**, and that according to the terms of the Merger the surviving corporation is **LIFESTREAM INTERNATIONAL, INC.**, a **TEXAS** corporation.



IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, on October 6, 1999.


MAC

Elton Bommer
Secretary of State

PATENT
REEL: 010841 FRAME: 0312

ARTICLES OF MERGER
OF

TEXAS MEDICAL PRODUCTS, INC.
(SUBSIDIARY)

WITH AND INTO

LIFESTREAM INTERNATIONAL, INC.
(PARENT)

FILED
In the Office of the
Secretary of State of Texas
OCT 06 1999
Corporations Section

Pursuant to the provisions of Part Five of the Texas Business Corporation Act, the undersigned domestic corporations adopt the following Articles of Merger for the purpose of merging Texas Medical Products, Inc. ("TMP"), a Texas corporation and a wholly-owned subsidiary of Lifestream International, Inc., a Texas corporation ("Lifestream"), into Lifestream, in accordance with the provisions of Article 5.16 of the Texas Business Corporation Act.

1. The names of the undersigned corporations and the states under the laws of which they are respectively organized are:

<u>Name of Corporation</u>	<u>State</u>
Texas Medical Products, Inc.	Texas
Lifestream International, Inc.	Texas

2. The total number or percentage of outstanding shares, identified by class, series or group of TMP and the number or percentage of those shares in each class owned by the parent entity are as follows:

<u>Name of Corporation</u>	<u>Number of Shares Outstanding</u>	<u>Class or Series</u>	<u>Number of Shares Owned By Lifestream, the Parent Entity</u>
Texas Medical Products, Inc.	11,500	Common Stock	11,500


3. Resolutions approving the merger of TMP, a Texas corporation with and into Lifestream were adopted on September 30, 1999, by the Board of Directors of Lifestream, the owner of all of the outstanding shares of common stock, par value \$.10 per share of TMP, all in accordance with the laws of the State of Texas, the jurisdiction of organization of Lifestream. A copy of such resolutions is attached as Annex A to these Articles of Merger.

4. The Merger will become effective upon the issuance of the certificate of merger by the Secretary of State in accordance with Article 5.05 of the Texas Business Corporation Act.

5. Lifestream (which is the surviving corporation in the merger) shall be responsible for the payment of all fees and franchise taxes of each of the constituent corporations and will be obligated to pay such fees and franchise taxes if the same are not timely paid.

Dated this 6 day of October, 1999.

LIFESTREAM INTERNATIONAL, INC.

By: 
Name: Robert W. Kleinert
Title: Chief Executive Officer and President

**WRITTEN CONSENT
OF THE SOLE DIRECTOR OF
LIFESTREAM INTERNATIONAL, INC.**

The undersigned, being the sole member of the Board of Directors of Lifestream International, Inc., a Texas corporation (the "Company"), and being entitled to vote upon the resolutions attached hereto as Exhibit A as if the same had been submitted at a formal meeting of the Board of Directors of the Company duly called and held for the purpose of acting upon such resolutions, do hereby consent, in accordance with Article 9.10.B of the Texas Business Corporation Act, to the adoption of such resolutions.

Effective this 30th day of September, 1999.



Robert W. Kleinert

Being the sole member of the
Board of Directors of
Lifestream International, Inc.

WHEREAS, in connection with the transactions contemplated by the Merger Agreement dated as of August 6, 1999 by and among the Surgimedics, Inc., a Texas corporation, now known as Lifestream International, Inc. (the "Company"), Trifecta Acquisition Corp., a Texas corporation and Lifestream International Holdings, Inc., a Delaware corporation, the Board of Directors of the Company believes it is in the best interests of the Company and its shareholder to merge Texas Medical Products, Inc., a Texas corporation ("TMP") and a wholly-owned subsidiary, with and into the Company with the Company being the surviving corporation; and

WHEREAS, pursuant to Article 5.16 of the Texas Business Corporation Act, a Plan of Merger is not required when a parent and wholly-owned subsidiary merge;

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Directors of the Company finds it to be in the best interests of the Company to merge TMP with and into the Company, with the Company being the surviving corporation in the Merger; and further

RESOLVED, that each and every officer and director of the Company be and each of them hereby is authorized to take any action which such officer or director deems necessary, appropriate, convenient or desirable in order to effect the merger of TMP with and into the Company, with the Company to be the surviving corporation; and further

RESOLVED, that the form, terms and provisions of the Articles of Merger to be filed with the State of Texas, be and they hereby are authorized and approved, and that the Chief Executive Officer and President of the Company be and hereby is authorized on behalf of the Company to execute the Articles of Merger and cause the same to be filed with the Secretary of State of the State of Texas; and further

RESOLVED, that each and every officer and director of the Company be and hereby is authorized to take any action which such officer deems necessary, appropriate, convenient or desirable in order to effectuate the intent of the foregoing resolutions.

WORKMAN NYDEGGER & SEELEY

ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
TELEPHONE (801) 533-9800
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MAILING ADDRESS:

P.O. BOX 45862

SALT LAKE CITY, UT 84145

INTERNET

HOME PAGE: <http://www.wnspat.com>

GENERAL E-MAIL: info@wnspat.com

Box ASSIGNMENTS

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Re: Assignment of U.S. Patents by Merger from Texas Medical Products, Inc.
to Lifestream International, Inc.
Our File No.: 15182.0

Dear Sir:

Please record the enclosed trademark Assignment by Merger, together with Form PTO-1594 in the United States Patent and Trademark Office. Enclosed is our Check No. 115292 in the amount of \$200.00 for the filing fee.

Triplicate copies of this sheet are attached.

Dated this 8th day of May, 2000.

Respectfully submitted,



DAVID O. SEELEY
Attorney for Applicant
Registration No. 30,148

WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 533-9800

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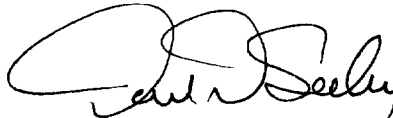
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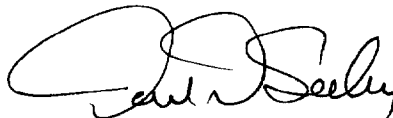
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CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

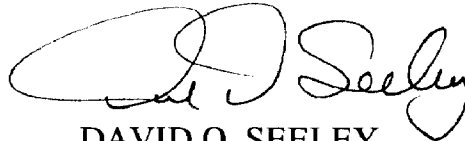
"Express Mail" Mailing Label No. EL394376119US

Date of Deposit: May 8th, 2000

I hereby certify that the attached Merger document merging Texas Medical Products, Inc. into Lifestream International, Inc., together with Form PTO-1594 and Check No. 115292 in the amount of \$240.00, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to Box ASSIGNMENTS, Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Dated this 8th day of May, 2000.

Respectfully submitted,



DAVID O. SEELEY
Attorney for Applicant
Registration No. 30,148

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