

FORM PTO-1619A  
Expires 06/30/99  
OMB 0651-0027



10-24-2002



U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**

102259633

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

**Submission Type**

- ☒ New  
☐ Resubmission (Non-Recordation)  
Document ID #   
☐ Correction of PTO Error  
Reel #  Frame #   
☐ Corrective Document  
Reel #  Frame #

**Conveyance Type**

- ☐ Assignment  
☐ License  
☒ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ Other

**U.S. Government**

(For Use ONLY by U.S. Government Agencies)

- ☐ Departmental File ☐ Secret File

**Conveying Party(ies)**

☐ Mark if additional names of conveying parties attached

Name (line 1)

Execution Date  
Month Day Year  
11 30 2001

Name (line 2)

**Second Party**

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

**Receiving Party**

☐ Mark if additional names of receiving parties attached

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**FOR OFFICE USE ONLY**

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

10/24/2002 610N11 00000057 190733 09502404

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**PATENT**  
**REEL: 013405 FRAME: 0017**

**Correspondent Name and Address**

Area Code and Telephone Number

202-508-9100

Name Brian E. Hanlon

Address (line 1) Banner & Witcoff, Ltd.

Address (line 2) 1001 G Street, N.W.

Address (line 3) Eleventh Floor

Address (line 4) Washington, D.C. 20001

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments

# 4

**Application Number(s) or Patent Number(s)**

☐ Mark if additional numbers attached.

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

**Patent Application Number(s)**

09/502,404

**Patent Number(s)**

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

**Patent Cooperation Treaty (PCT)**

Enter PCT application number only if a U.S. Application Number as not been assigned.

PCT

PCT

PCT

PCT

PCT

PCT

**Number of Properties**

Enter the total number of properties involved.

# 1

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$ 40

Method of Payment:

Enclosed ☐

Deposit Account ☒

**Deposit Account**

Enter for payment by deposit account or if additional fees can be charged to the account.)

**Deposit Account Number:**

# 19-0733

**Authorization to charge additional fees:**

Yes ☒

No ☐

**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. Charges to deposit account are authorized, as indicated herein.*

Brian E. Hanlon-Reg. No. 40,449

**Name of Person Signing**

Brian E. Hanlon

**Signature**

10/15/02

**Date**

**CERTIFICATE OF MERGER  
OF  
PRO.DUCT HEALTH, INC.  
WITH AND INTO  
CYTYC HEALTH CORPORATION**

**IT IS HEREBY CERTIFIED THAT:**

1. The constituent business corporations participating in the merger herein certified are:

(i) Pro.Duct Health, Inc. which is incorporated under the laws of the State of Delaware; and

(ii) Cytyc Health Corporation, which is incorporated under the laws of the State of Delaware.

2. An Agreement and Plan of Merger, dated as of October 17, 2001, as amended (the "Agreement and Plan of Merger") has been approved, adopted, certified, executed, and acknowledged by each of the constituent corporations in accordance with the provisions of Section 251 of the General Corporation Law of the State of Delaware.

3. The name of the surviving corporation in the merger herein certified is Cytyc Health Corporation, which will continue its existence as the surviving corporation under its present name upon the effective date of the merger pursuant to the provisions of the General Corporation Law of the State of Delaware.

4. The Certificate of Incorporation of Cytyc Health Corporation, as now in force and effect, shall continue to be the Certificate of Incorporation of the surviving corporation until amended and changed pursuant to the provisions of the General Corporation Law of the State of Delaware.

5. The executed Agreement and Plan of Merger between the constituent corporations is on file at an office of the aforesaid surviving corporation, the address of which is as follows: 85 Swanson Road, Boxborough, Massachusetts 01719.

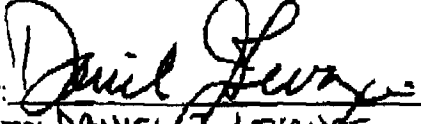
6. A copy of the Agreement and Plan of Merger will be furnished by the surviving corporation, on request, and without cost, to any stockholder of each of the constituent corporations.

7. The Agreement and Plan of Merger between the constituent corporations provides that the merger herein certified shall be effective upon filing this Certificate of Merger with the Secretary of State of Delaware.

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 05:15 PM 11/30/2001  
010607378 - 3405307

DATED this 30<sup>th</sup> day of November 2001.

CYTYC HEALTH CORPORATION

By:   
Name: DANIEL J. LEVANTE  
Title: PRESIDENT

# Apostille

(Convention de La Haye du 5 Octobre 1961)

1. Country: United States of America

This public document:

2. has been signed by Harriet Smith Windsor

3. acting in the capacity of Secretary of State of Delaware

4. bears the seal/stamp of Office of Secretary of State

## Certified

5. at Dover, Delaware

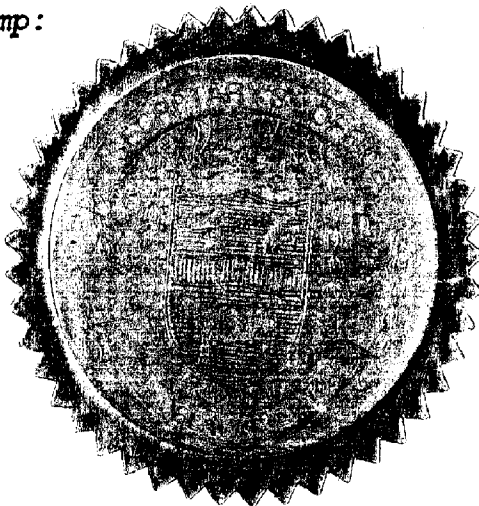
6. the nineteenth day of July, A.D. 2002

7. by Secretary of State, Delaware Department of State

8. No. 0179817

9. Seal/Stamp:

10. Signature:



*Harriet Smith Windsor*  
Secretary of State

# Delaware

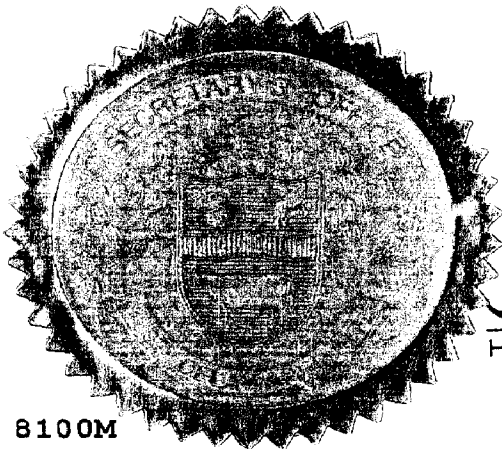
PAGE 1

## *The First State*

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:

"PRO.DUCT HEALTH, INC.", A DELAWARE CORPORATION,

WITH AND INTO "CYTYC HEALTH CORPORATION" UNDER THE NAME OF "CYTYC HEALTH CORPORATION", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTIETH DAY OF NOVEMBER, A.D. 2001, AT 5:15 O'CLOCK P.M.



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

3405307 8100M

AUTHENTICATION: 1894114

020464494

DATE: 07-19-02

PATENT

RECORDED: 10/15/2002

REEL: 013405 FRAME: 0022