

01-31-2003



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1. Name of conveying party(ies):

Pi Medical, Inc.

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

Restore Medical, Inc.  
2800 Patton Road  
St. Paul, Minnesota 55113

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

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

Execution Date: December 9, 2002

4. Application number(s) or patent number(s):

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

A. Patent Application No.(s)

See Table A

B. Patent No.(s)

See Table A

Additional numbers attached? ☒ Yes ☐ No

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

Name: Nancy J. Parsons  
Address: Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903



6. Total number of applications and patents involved: 24

7. Total fee (37 CFR 3.41): \$960.00

- ☒ Enclosed  
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Nancy J. Parsons

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*Nancy Parsons*  
Signature

*Jan 22, 2003*  
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**TABLE A**

Attorney Docket No.	Serial No.	Filing Date	Title	Patent No.	Issue Date	Current Assignee
13033.1US01	09/398,991	09/17/1999	Snoring Treatment	6,250,307	06/26/2001	Pi Medical, Inc.
13033.1USC1	09/872,699	06/01/2001	Permanent Snoring Implant			Pi Medical, Inc.
13033.1USC2	09/872,789	06/01/2001	Expandable Snoring Implant			Pi Medical, Inc.
13033.1USC3	09/872,545	06/01/2001	Stiff Snoring Implant			Pi Medical, Inc.
13033.1USC4	10/036,915	01/03/2002	Braided Implant for Snoring Treatment			Pi Medical, Inc.
13033.1USC5	10/121,166	04/11/2002	Needle With Pre-Loaded Implant For Snoring Treatment			Pi Medical, Inc.
13033.1USIA	09/814,456	03/21/2001	Compliant Snoring Treatment Implant			Pi Medical, Inc.
13033.1USIB	09/814,459	03/21/2001	Contracting Snoring Treatment Implant			Pi Medical, Inc.
13033.1USIC	09/992,277	11/14/2001	Lateral Stiffening Snoring Treatment	6,502,574	01/07/2003	Pi Medical, Inc.
13033.1USII	09/434,653	11/05/1999	Snoring Treatment	6,401,717 B1	06/11/2002	Pi Medical, Inc.
13033.1USI2	09/513,042	02/25/2000	Multi-Component Snoring Treatment	6,453,905	09/24/2002	Pi Medical, Inc.
13033.1USI3	09/513,039	02/25/2000	Placement Tool For Snoring Treatment	6,415,796 B1	07/09/2002	Pi Medical, Inc.
13033.1USI4	09/513,432	02/25/2000	Braided Implant For Snoring Treatment	6,450,169	09/17/2002	Pi Medical, Inc.
13033.1USI5	09/602,141	06/23/2000	Needle With Pre-Loaded Implant For Snoring Treatment	6,390,096 B1	05/21/2002	Pi Medical, Inc.
13033.1USI6	09/814,471	03/21/2001	Braided Palatal Implant For Snoring Treatment			Pi Medical, Inc.
13033.1USI7	09/814,460	03/21/2001	Proximal Placement Of Snoring Treatment Implant			Pi Medical, Inc.
13033.1USI8	09/815,154	03/21/2001	Delivery System For Snoring Treatment Implant And Method			Pi Medical, Inc.
13033.1USI9	09/815,166	03/21/2001	Snoring Treatment Implant And Method			Pi Medical, Inc.
13033.2US01	09/409,018	09/29/1999	Implantable Stimulation Device For Snoring Treatment			Pi Medical, Inc.
13033.3US01	09/608,651	06/30/2000	Snoring Diagnostic And Treatment	6,439,238 B1	08/27/2002	Pi Medical, Inc.
13033.4US01	09/636,803	08/10/2000	Method And Apparatus To Treat Conditions Of The Naso-Pharyngeal Area	6,431,174 B1	08/13/2002	Pi Medical, Inc.
13033.4USC1	10/190,183	07/03/2002	Method And Apparatus To Treat Conditions Of The Naso-Pharyngeal Area			Pi Medical, Inc.
13033.5US01	10/066,967	02/04/2002	Pharyngeal Wall Treatment			Pi Medical, Inc.
13033.5USI1	10/237,149	09/06/2002	Stiffening Pharyngeal Wall Treatment			Pi Medical, Inc.

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**ARTICLES OF MERGER  
OF  
PI SUB, INC.  
WITH AND INTO  
PI MEDICAL, INC.**

Pursuant to Section 302A.621 of the Minnesota Business Corporation Act, the Minnesota parent business corporation hereinafter named does hereby certify that:

**FIRST:** The name of the subsidiary corporation, which is a business corporation of the State of Minnesota, is Pi Sub, Inc. ("Subsidiary").

**SECOND:** The name of the parent corporation, which is a business corporation of the State of Minnesota, and which is to be the surviving corporation, is Pi Medical, Inc. ("Parent").

**THIRD:** The number of outstanding shares of Subsidiary is 100, all of which are of one class, and all of which are owned by Parent.

**FOURTH:** The following is the Plan of Merger for merging Subsidiary with and into Parent as was approved by the Board of Directors of Parent in the manner prescribed by Section 302A.621 of the Minnesota Business Corporation Act as of December 2, 2002.

1. Parent, which is a business corporation of the State of Minnesota and is the owner of all of the outstanding shares of Subsidiary, which is also a business corporation of the State of Minnesota, hereby merges Subsidiary with and into Parent pursuant to the provisions of the Minnesota Business Corporation Act.

2. The separate existence of Subsidiary shall cease upon the effective date of the merger pursuant to the provisions of the Minnesota Business Corporation Act; and Parent shall continue its existence as the surviving corporation pursuant to the provisions of said Minnesota Business Corporation Act; provided, however, that upon the effectiveness of the merger, Article I of the Amended and Restated Articles of Incorporation of Parent shall be amended to read in its entirety as follows:

The name of the corporation is "Restore Medical, Inc."

3. The issued shares of Subsidiary shall not be converted in any manner, but each said share which is issued as of the effective date of the merger shall be surrendered and extinguished.

4. The issued shares of Parent shall not be converted in any manner, but each said share which is issued as of the effective date of the merger shall continue to represent one issued share of Parent.


5. The Board of Directors and the proper officers of Parent are hereby authorized, empowered, and directed to do any and all acts and things, and to make, execute, deliver, file, and/or record any and all instruments, papers, and documents which shall be or become necessary, proper, or convenient to carry out or put into effect any of the provisions of this Plan of Merger or of the merger herein provided for.

FIFTH: Parent will continue its existence as the surviving corporation pursuant to the provisions of the Minnesota Business Corporation Act; provided, however, that upon the effectiveness of the Merger, Article I of the Amended and Restated Articles of Incorporation of Parent shall be amended to read in its entirety as set forth in the Plan of Merger included in Article FOURTH above.

SIXTH: The Merger shall be effective as of the date of filing of these Articles of Merger.

Dated as of this 9<sup>th</sup> day of December, 2002.

PI MEDICAL, INC.

By   
Name: Susan L. Critzer  
Title: President and  
Chief Executive Officer

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED

DEC 09 2002

  
Secretary of State

STATE OF MINNESOTA

DEPARTMENT OF STATE

I hereby certify that this is a  
true and complete copy of the  
document as filed for record in  
this office.

DATE: 12/19/02

*Marg Hiffmeyer*

Secretary of State



By

*Linda Hawley*