

Attorney Docket: ev31022US  
Applicants: David S. Erickson et al.  
Patent No.: 5,664,517

FORM PTO-1595 RECORDATION FORM COVER SHEET U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office  
**PATENTS ONLY**

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

1. Name of conveying party(ies):  Microvena Corporation  Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies):  Name: ev3 Inc.  Internal Address:  Street Address: 4600 Nathan Lane North  City/State/Zip: Plymouth, MN 55442-2920  Additional name(s) & address(es) attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance:  <input type="checkbox"/> Assignment <input checked="" type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: _____	
Execution Date: September 3, 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)	B. Patent No.(s)  5,664,580
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Additional numbers attached:  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  Name: Terry L. Wiles  Internal Address:  Street Address: Popovich & Wiles, P.A. IDS Center, Suite 1902 80 South 8th Street  City: Minneapolis State: Minnesota Zip: 55402	6. Total number of applications and patents involved: 1  7. Total fee (37 CFR 3.41):..... \$40.00  <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account  8. Deposit account number:  16-2312  (Attach duplicate copy of this page if paying by deposit account)
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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.*

Terry L. Wiles (29,989) Name of Person Signing	 Signature	8/21/03 Date
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Total number of pages comprising cover sheet: 1

OMB No. 0851-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:  
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OPPENHEIMER

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
6126077100  
FILED 04:00 PM 09/06/2002  
020559943 - 3564086

**CERTIFICATE OF MERGER  
OF  
MICROVENA CORPORATION,  
A MINNESOTA CORPORATION  
WITH AND INTO  
EV3 INC.,  
A DELAWARE CORPORATION**

Pursuant to Section 252(c) of the General Corporation Law of the State of Delaware, as amended (the "DGCL"), ev3 Inc., a Delaware corporation (the "Surviving Company"), hereby adopts the following Certificate of Merger for the purpose of merging Microvena Corporation, a Minnesota corporation (the "Merging Company"), with and into the Surviving Company.

**ARTICLE ONE**

The name and state of incorporation of each of the constituent corporations participating in the merger are as follows:

<u>Name of Corporation</u>	<u>State of Incorporation</u>
ev3 Inc.	Delaware
Microvena Corporation	Minnesota

**ARTICLE TWO**

That an Agreement and Plan of Merger, dated September 3, 2002 (the "Agreement of Merger"), by and between the Surviving Company and the Merging Company has been approved, adopted, certified, executed and acknowledged by the Surviving Company and the Merging Company in accordance with Section 252 of the General Corporation Law of Delaware.

**ARTICLE THREE**

The name of the Surviving Company shall be "ev3 Inc.," and it shall be governed by the laws of the State of Delaware.

**ARTICLE FOUR**

The Certificate of Incorporation of the Surviving Company, as now in force and effect, shall continue to be the Certificate of Incorporation of said surviving corporation until amended pursuant to the provisions of the DGCL.

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**ARTICLE FIVE**

The Agreement of Merger is on file at the following place of business of the Surviving Company: ev3 Inc., 1861 Buerkle Road, White Bear Lake, Minnesota 55110.

**ARTICLE SIX**

A copy of the Agreement of Merger will be furnished by the Surviving Company, on request and without cost, to any stockholder of any constituent corporation.

**ARTICLE SEVEN**

The aggregate number of shares of stock which the Merging Company has authority to issue is 35,450,000 shares, which consists of 32,500,000 shares of Class A Common Stock, 200,000 shares of Class B Common Stock, 1,600,000 shares of Series A Convertible Preferred Stock, 150,000 shares of Series B Convertible Preferred Stock, 347,755 shares of Series C Convertible Preferred Stock and 652,245 shares of undesignated stock. The par value of each share of capital stock of the Merging Company is \$.01.

*[Signature Page Follows]*

IN WITNESS WHEREOF, the undersigned party has caused this Certificate of Merger to be duly executed in its name by its duly authorized member or officer, as of the 3rd day of September, 2002.

ev3 Inc.,  
a Delaware corporation

By: Paul Buckman  
Paul Buckman

Its: Chief Executive Officer and President

*[Signature page of Certificate of Merger]*

# Delaware

PAGE 1

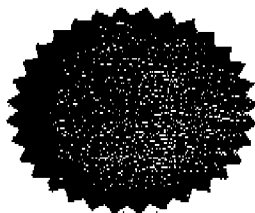
*The First State*

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:

"MICROVENA CORPORATION", A MINNESOTA CORPORATION,

WITH AND INTO "EV3 INC." UNDER THE NAME OF "EV3 INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE SIXTH DAY OF SEPTEMBER, A.D. 2002, AT 4 O'CLOCK P.M.

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



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

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AUTHENTICATION: 1971059

DATE: 09-06-02

PATENT

RECORDED: 08/21/2003

REEL: 013887 FRAME: 0812

TOTAL P.05