

09-22-2003

FORM PTO-1595 (modified)

(Rev 6-93)

REI



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PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

SHEET

9/15/03

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copies thereof.

1. Name of conveying party(ies):

**VivoRx Pharmaceutical, Inc.**  
**10866 Wilshire Blvd., Suite 1270**  
**Los Angeles, California 90024**

Additional conveying party(ies)

**NO**

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

**American Bioscience, Inc.**  
**10866 Wilshire Blvd., Suite 1270**  
**Los Angeles, California 90024**

3. Nature of conveyance:

- |   |  |
|---|--|
| <input type="checkbox"/> Assignment         | <input type="checkbox"/> Merger                    |
| <input type="checkbox"/> Security Agreement | <input checked="" type="checkbox"/> Change of Name |
| <input type="checkbox"/> Other _____        |  |

Execution Date: **April 9, 1998**

Additional name(s) & address(es) attached?

**NO**

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

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

A. Patent Application Number(s):

B. Patent Number(s):

**5,997,904**

Additional numbers attached? **NO**

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

**Stephen E. Reiter**  
**FOLEY & LARDNER**  
**P.O. Box 80278**  
**San Diego, California 92138-0278**

6. Total number of applications/patents involved: **1**

7. Total fee (37 C.F.R. § 3.41): **\$40.00**

☒ Check Enclosed

Charge to deposit account

8. Deposit account number: **50-0872**

**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. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.*

**Stephen E. Reiter**

9/11/03

Name of person signing

Signature

Date

09/17/2003 DBYRNE 00000095 5997904

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Total number of pages including cover sheet, attachments, and document: **3**

ENDORSED - FILED  
IN THE OFFICE OF THE  
SECRETARY OF STATE  
OF THE STATE OF CALIFORNIACERTIFICATE OF AMENDMENT  
OF ARTICLES OF INCORPORATION OF  
VIVORX PHARMACEUTICAL, INC.,  
a California corporation

APR 10 1998

BILL JONES, SECRETARY OF STATE

Patrick Soon-Shiong hereby certifies as follows:

1. He is the President and Secretary of VivoRx Pharmaceutical, Inc., a California corporation.

2. ARTICLE I of the Articles of Incorporation of this corporation is amended to read in full as set forth below:

"I

The name of this corporation is American BioScience, Inc."

3. The amendment set forth above in Section 2 of this certificate (the "Amendment") has been duly approved by the Board of Directors of this corporation.

4. The Amendment has been duly approved by the required vote of the shareholders of this corporation in accordance with Section 902 of the California Corporations Code. This corporation has two series Preferred Stock and one class of Common Stock, all of which votes together as one class, and the number of outstanding shares entitled to vote with respect to the Amendment is 48,105,369. The number of shares voting in favor of the Amendment equaled or exceeded the vote required. The percentage vote required for the approval of the Amendment was more than fifty percent (50%).

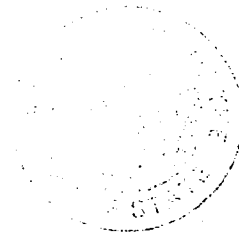
The undersigned hereby declares under penalty of perjury under the laws of the State of California that he has read this certificate, knows the contents thereof, and that the same is true and correct of his own knowledge.

Executed at Santa Monica California, on April 9, 1998.  
PATRICK SOON-SHIONG,  
President and Secretary

DWP1:36729/163535.1-4/9/98

## State of California

SECRETARY OF STATE



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I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the attached transcript has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

*IN WITNESS WHEREOF*, I execute this certificate and affix the Great Seal of the State of California this

APR 14 1998



Secretary of State