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U.S. Department of Commerce  
Patent and Trademark Office

Our Ref.: 2661-2

**Mail Stop Assignment Recordation Services**

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

8-3-04

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

1. Name of conveying party(ies):  
AEOLUS PHARMACEUTICALS, INC.

Additional name/s of conveying party/ies attached? ☐

3. Nature of conveyance:

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

Execution Date: July 13, 2004

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

Name: AEOLUS SCIENCES, INC.

Internal Address:

Street Address: P.O. Box 14287

City: Research Triangle Park

State/Country: North Carolina

Zip: 27709

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

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).

- (1)  
(2)  
(3)

B. Patent No(s).

- (1) 6,544,975  
(2)  
(3)

Additional numbers attached ☐ Yes ☒ No

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

Name: Mary J. Wilson

Internal Address:

Street Address: Nixon & Vanderhye P.C.

1100 North Glebe Road

8<sup>th</sup> Floor

City: Arlington State: VA Zip: 22201

6. Total number of applications & patents involved: 1

7. Total fee (37 CFR 3.41)

\$ 40.00

☒ Enclosed

☐ Authorized to be charged to deposit account #14-1140

8. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper thereafter filed in this application by this firm) to our Account No. 14-1140.

DO NOT USE THIS SPACE

9. Statements 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.

Mary J. Wilson

Name of Person Signing

Reg. No. 32,955

Signature

August 3, 2004

Date

Total number of pages including original cover sheet, attachments, and document: [3]

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PATENT  
REEL: 015642 FRAME: 0081

# Delaware

PAGE 1

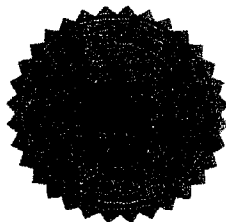
*The First State*

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 AMENDMENT OF "AEOLUS PHARMACEUTICALS, INC.", CHANGING ITS NAME FROM "AEOLUS PHARMACEUTICALS, INC." TO "AEOLUS SCIENCES, INC.", FILED IN THIS OFFICE ON THE THIRTEENTH DAY OF JULY, A.D. 2004, AT 1:59 O'CLOCK P.M.

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

2457627 8100

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*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 3229778

DATE: 07-13-04

PATENT  
REEL: 015642 FRAME: 0082

**CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION  
OF  
AEOLUS PHARMACEUTICALS, INC.**


The undersigned corporation, a corporation duly organized and existing under the General Corporation Law of the State of Delaware (the "Corporation"), does hereby certify that:

1. The name of the Corporation is Aeolus Pharmaceuticals, Inc.
2. The amendment to the Corporation's Certificate of Incorporation set forth below was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware, and has been consented to in writing by the sole stockholder of the Corporation in accordance with Section 228 of the General Corporation Law of the State of Delaware.
3. The Corporation's Certificate of Incorporation is hereby amended as follows:
  - A. By amending and restating the only sentence of Section FIRST thereof to read as follows: "The name of the corporation is Aeolus Sciences, Inc. (the "Corporation")."
4. This Certificate of Amendment shall be effective upon filing.

IN WITNESS WHEREOF, Aeolus Pharmaceuticals, Inc. has caused this Certificate of Amendment to be executed by the undersigned officer, on this the 13<sup>th</sup> day of July 2004.

AEOLUS PHARMACEUTICALS, INC.

By:

  
Name: Richard W. Reichow  
Title: Executive Vice President  
and Chief Financial Officer

0025-0714-100-003415-01