

PATENT ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	CHANGE OF NAME
CONVEYING PARTY DATA	
Name	Execution Date
BIOMICROARRAYS, INC.	05/25/2005
RECEIVING PARTY DATA	
Name:	3DBIOSURFACES, INC.
Street Address:	4541 East Fort Lowell Road
City:	Tucson
State/Country:	ARIZONA
Postal Code:	85718
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	10291467
CORRESPONDENCE DATA	
Fax Number:	(520)747-0977
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	520-747-0999
Email:	larry@oremland.com
Correspondent Name:	Lawrence R. Oremland
Address Line 1:	5055 E. Broadway Blvd., Suite C-214
Address Line 4:	Tucson, ARIZONA 85711
ATTORNEY DOCKET NUMBER:	6190.103US
NAME OF SUBMITTER:	Lawrence R. Oremland
Total Attachments: 5 source=Restated Articles of Incorporation#page1.tif source=Restated Articles of Incorporation#page2.tif source=Restated Articles of Incorporation#page3.tif source=Restated Articles of Incorporation#page4.tif source=Restated Articles of Incorporation#page5.tif	

OP \$40.00 10291467

PATENT

500219196

REEL: 018859 FRAME: 0477

OCT 19 2005

FILE NO. 10364455

RESTATED ARTICLES OF INCORPORATION
OF
3DBIOSURFACES, INC. (FORMERLY BIOMICROARRAYS, INC.)

The undersigned incorporator hereby adopts the following Articles of Incorporation:

I. NAME

The name of the Corporation is "3dbiosurfaces, Inc." (Formerly "BioMicroArrays, Inc.")

II. AUTHORIZED CAPITAL

1. The total number of shares that the Corporation will have authority to issue is 550,000 shares, consisting of 500,000 shares of Common Stock and 50,000 shares of Preferred Stock. The Common Stock and the Preferred Stock shall be identical in all respects except that the Preferred Stock shall have a liquidation preference as provided in Section 2 of this Article II.

2. (A) In the event of any Liquidation Event (as defined below), the holders of the Preferred Stock shall be entitled to be paid, before any distribution or payment is made upon any shares of the Common Stock or the Preferred Stock by reason of their ownership thereof, an amount equal to \$10.00 per share (as adjusted for any stock dividends, combinations or splits with respect to such shares). If upon the occurrence of any such event the assets and funds then distributed among the holders of the Preferred Stock shall be insufficient to permit the payment to such holders of the full aforesaid preferential amount, then the entire assets and funds of the Corporation legally available for distribution to holders of Common Stock shall be distributed ratably among the holders of the Preferred Stock based upon the number of shares then held.

(B) Upon payment of the full preferential amounts described in Subsection (A) of this Section 2, then the entire remaining assets and funds of the Corporation legally available for distribution to holders of Common Stock shall be distributed ratably among the holders of the Common Stock and the Preferred Stock based upon the number of shares held.

(C) For purposes of this Section 2, a "Liquidation Event" shall be (i) any consolidation or merger of the Corporation in which the shares of Common Stock and Preferred Stock would be converted into cash, securities or other property (other than any consolidation or merger of the Corporation in which holders of the Corporation's capital stock immediately prior to the consolidation or merger own at least 50% of the voting stock and voting power of the surviving Corporation immediately after the consolidation or merger); (ii) any sale, lease, exchange or other transfer (in one transaction or a series of related transactions) of all or substantially all of the assets of the Corporation other than any sale, lease exchange or other transfer to an entity where the Corporation owns, directly or indirectly, at least 50% of the outstanding voting securities of such entity after the transfer or series of transfers, as the case may be; or (iii) any liquidation, dissolution or winding up of the Corporation, whether voluntary or involuntary.

(D) Whenever the distribution provided for in this Section 2 shall be paid in securities or property other than cash, the value of such distribution shall be the fair market value of such securities or other property as determined in good faith by the Board of Directors of the Corporation.

3. (A) The holders of shares of Preferred Stock shall be entitled to vote with the holders of the Common Stock on all matters submitted to a vote of shareholders of the Corporation. Each holder of shares of Preferred Stock and each holder of shares of Common Stock shall be entitled to one vote per share. The holders of shares of Preferred Stock and the holders of shares of Common Stock shall be entitled to notice of any shareholders' meeting in accordance with the Bylaws of the Corporation.

(B) So long as any shares of Preferred Stock remain outstanding, the size of the Board of Directors of the Company shall be fixed at five (5) and the holders of Preferred Stock voting as a class shall be entitled to elect three (3) directors. The remaining two (2) directors shall be elected by the holders of the Common Stock voting as a class.

(C) In the case of any vacancy in the office of a director elected by a specified group of shareholders, a successor shall be elected to hold office for the unexpired term of such director by the affirmative vote of a majority of the shares of such specified group given at a special meeting of such shareholders duly called or by an action by unanimous written consent of all such shareholders or by a written consent of such lesser number of such shareholders as may be authorized by a shareholders agreement adopted by all shareholders of the Company pursuant to A.R.S. § 10-732. Any director who shall have been elected by a specified group of shareholders may be removed during the aforesaid term of office, either for or without cause, by, and only by, the affirmative vote of the holders of a majority of the shares of such specified group, given at a special meeting of such shareholders duly called or by an action by unanimous written consent of such shareholders or by a written consent of such lesser number of such shareholders as may be authorized by a shareholders agreement adopted by all shareholders of the Company pursuant to A.R.S. § 10-732.

(D) Without the affirmative vote or written consent of the holders of at least 66-2/3% of the outstanding shares of Preferred Stock, voting as a separate class, the Corporation shall not: (i) authorize or issue, or obligate itself to issue, any other capital stock ranking senior to or on a parity with the Preferred Stock as to liquidation preferences, voting rights or otherwise; (ii) amend this Article II or take any action in a manner that would materially alter or change any of the powers, preferences, privileges or rights of the Preferred Stock; or (iii) issue shares of Preferred Stock at a price per share below \$10.00 (as adjusted for any stock dividends, combinations or splits with respect to such shares).

4. The Corporation shall not split the outstanding Common Stock without making a corresponding split of the Preferred Stock.

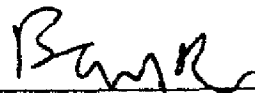
VIII. ELIMINATION OF DIRECTOR LIABILITY

To the fullest extent permitted by the Arizona Revised Statutes as the same exist or may be hereafter amended, no director of the Corporation shall be liable to the Corporation or its shareholders for monetary damages for any action taken or any failure to take any action as a director. No repeal, amendment or modification of this article, whether direct or indirect, shall eliminate or reduce its effect with respect to any act or failure to act of a director of the Corporation occurring prior to such repeal, amendment or modification.

IX. INDEMNIFICATION

To the fullest extent permitted by the Arizona Revised Statutes as the same exist or may be hereafter amended, the Corporation shall indemnify and advance expenses to any person who incurs expenses or liabilities by reason of the fact he or she is or was an officer or director of the Corporation or is or was serving at the request of the Corporation as a director, officer, employee or agent of another foreign or domestic Corporation, partnership, joint venture, trust, employee benefit plan or other entity. The foregoing indemnification and advancement of expenses shall be mandatory in all circumstances in which the same are permitted by law. No repeal, amendment or modification of this article, whether direct or indirect, shall eliminate or reduce its effect with respect to any matter giving rise to indemnification and advancement of expenses occurring prior to such repeal, amendment or modification.

IN WITNESS WHEREOF, the undersigned incorporator has executed these Articles of Incorporation this 25th day of May, 2005 (original 27th day of June, 2002).



Barry Beroth

III. PURPOSE AND INITIAL BUSINESS

The Corporation is organized for the purpose of transacting all lawful business for which corporations may be organized under the laws of Arizona, as amended from time to time. The Corporation initially intends to conduct in Arizona the business of the development, design and fabrication of textured substrates used in the detection and analysis of biological molecules.

IV. INITIAL BOARD OF DIRECTORS

The initial Board of Directors shall consist of two members, who shall serve as directors until their successors are elected and qualified, and whose names and address are:

Barry Beroth
Alan Gordon Goodyear
4541 East Fort Lowell Road
Tucson, Arizona 85718

V. STATUTORY AGENT

ENKI Technologies, LLC, an Arizona limited liability company, 4541 East Fort Lowell Road, Tucson, Arizona 85712, is hereby appointed the initial statutory agent for the Corporation for the State of Arizona.

VI. KNOWN PLACE OF BUSINESS

The street address of the Corporation's known place of business is as follows:

4541 East Fort Lowell Road
Tucson, Arizona 85718

VII. INCORPORATOR

The name and address of the incorporator are as follows:

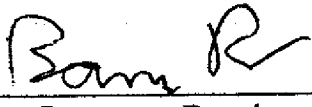
Barry Beroth
4541 East Fort Lowell Road
Tucson, Arizona 85718

All powers, duties and responsibilities of the incorporator shall cease at the time of delivery of these Articles of Incorporation to the Arizona Corporation Commission.

**CONSENT OF STATUTORY AGENT
OF
3DBIOSURFACES, INC. (FORMERLY BIOMICROARRAYS, INC.)**

The undersigned, having been named in the Articles of Incorporation of 3dbiosurfaces, Inc. (formerly BioMicroArrays, Inc.) as its statutory agent for the State of Arizona, hereby confirms that he has been notified of the appointment and that he accepts the appointment.

DATED: May 25, 2005 (originally June 27, 2002).

By: 
Name: Barry Beroth, ENKI
Technologies, LLC
Address: 4541 East Fort Lowell Road
Tucson, Arizona 85718