# Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE: NEW ASSIGNMENT

NATURE OF CONVEYANCE: CHANGE OF NAME

# **CONVEYING PARTY DATA**

| Name          | Execution Date |
|---------------|----------------|
| Respira, Inc. | 08/28/2007     |

# RECEIVING PARTY DATA

| Name:           | Portaero, Inc.                    |  |
|-----------------|-----------------------------------|--|
| Street Address: | 21631 Stevens Creek Blvd, Suite A |  |
| City:           | Cupertino                         |  |
| State/Country:  | CALIFORNIA                        |  |
| Postal Code:    | 95015                             |  |

# PROPERTY NUMBERS Total: 22

| Property Type       | Number   |
|---------------------|----------|
| Patent Number:      | 7086398  |
| Patent Number:      | 6886558  |
| Patent Number:      | 7195017  |
| Patent Number:      | 7252086  |
| Application Number: | 10850022 |
| Application Number: | 10852529 |
| Application Number: | 10881408 |
| Application Number: | 10832905 |
| Application Number: | 10992864 |
| Application Number: | 10844708 |
| Application Number: | 10993742 |
| Application Number: | 60999758 |
| Application Number: | 60938063 |
| Application Number: | 60999759 |
| Application Number: | 60938466 |
|                     | DATENT   |

PATENT "
REEL: 020186 FRAME: 0043

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| Application Number: | 60940702 |
|---------------------|----------|
| Application Number: | 11010079 |
| Application Number: | 11834590 |
| Application Number: | 11209299 |
| Application Number: | 11747323 |
| Application Number: | 11332977 |
| Application Number: | 11748520 |

### **CORRESPONDENCE DATA**

Fax Number: (415)362-2928

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 415-362-3800

Email: officeactions@fdml.com
Correspondent Name: Fliesler Meyer LLP

Address Line 1: 650 California Street, 14th Floor
Address Line 4: San Francisco, CALIFORNIA 94108

| ATTORNEY DOCKET NUMBER: | LUNG!-00300US0    |
|-------------------------|-------------------|
| NAME OF SUBMITTER:      | K. lain McAusland |

**Total Attachments: 2** 

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PATENT REEL: 020186 FRAME: 0044



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 "RESPIRA, INC.", CHANGING ITS NAME FROM "RESPIRA, INC." TO "PORTAERO, INC.", FILED IN THIS OFFICE ON THE TWENTY-EIGHTH DAY OF AUGUST, A.D. 2007, AT 8:47 O'CLOCK P.M.

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

4345475 8100 070966591



Darriet Smith Hindson

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 5961912

DATE: 08-29-07

PATENT REEL: 020186 FRAME: 0045

State of Delaware Secretary of State Division of Corporations Delivered 08:57 PM 08/28/2007 FILED 08:47 PM 08/28/2007 SRV 070966591 - 4345475 FILE

#### AMENDMENT TO

# AMENDED AND RESTATED CERTIFICATE OF INCORPORATION

OF

# RESPIRA, INC.

David C. Plough hereby certifies that:

- 1. He is the President and Secretary of Respira, Inc.
- 2. Article I of the Amended and Restated Certificate of Incorporation of Respira, Inc. is amended to read in its entirety as follows:

### **ARTICLE 1**

The name of this corporation is Portaero, Inc. (the "Corporation").

The purpose of the Corporation is to engage in any lawful act or activity for which a corporation may be organized under the Delaware General Corporation Law.

- 3. The foregoing amendment to the Amended and Restated Certificate of Incorporation has been duly approved by the Board of Directors.
- 4. The foregoing amendment to the Amended and Restated Certificate of Incorporation has been duly approved by the required vote of stockholders in accordance with Section 228 of the General Corporation Law of the State of Delaware.
- 5. The said amendment is duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, this Amendment to Amended and Restated Certificate of Incorporation has been executed by the President and Secretary of this Corporation on 28 August, 2007.

David C. Plough

President and Secretary

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RECORDED: 12/03/2007

PATENT REEL: 020186 FRAME: 0046