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Atty Ref/Docket No.: 1326.001US1

Patent and Trademark Office

To the Director of the U.S. Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Mendota Healthcare, Inc.

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

3. Nature of conveyance:

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

Execution Date: 6/12/2006

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

Name: InstyMeds Corporation

Street Address: 6501 City West Parkway

City: Eden Prairie State: MN Zip: 55344Additional 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)

09/714,802 Date Filed: 11/16/2000
10/784,507 Date Filed: 2/23/2004
10/229,923 Date Filed: 8/27/2002
10/852,010 Date Filed: 5/24/2004
11/821,004 Date Filed: 6/21/2007

B. Patent No.(s)

6,529,801

6,892,941

Additional numbers attached? ☐ Yes ☒ No

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

Name: Steven W. Lundberg

Address:

Schwegman, Lundberg & Woessner, P.A.
P.O. Box 2938
Minneapolis, MN 55402-0938

6. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41): \$ 200.00☐ Enclosed☒ Authorized to be charged to deposit account 19-0743

8. Please charge any additional fees or credit any over payments to our Deposit Account No.: 19-0743

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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.

Steven W. Lundberg/Reg. No. 30,568

Name of Person Signing

Signature

Date

9/15/2008

Total number of pages including cover sheet: 5

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

Commissioner of Patents and Trademarks
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PATENT
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ARTICLES OF AMENDMENT
OF
ARTICLES OF INCORPORATION
OF
MENDOTA HEALTHCARE, INC.

I, Ed Zeman, Chief Financial Officer and Secretary of Mendota Healthcare, Inc., a Minnesota corporation (the "Corporation"), do hereby certify:

1. The Amended and Restated Articles of Incorporation of the Corporation, including any amendments heretofore adopted, are hereby amended and restated in their entirety and superseded by the Second Amended and Restated Articles of Incorporation of the Corporation, attached hereto as Exhibit A.

2. The Second Amended and Restated Articles of Incorporation, attached hereto as Exhibit A, were duly adopted as the Second Amended and Restated Articles of the Corporation at a Special Meeting of the shareholders of the Corporation held June 12, 2006, by the affirmative vote of the holders of a majority of the voting power of the shares present and entitled to vote acting in accordance with Minnesota Statutes.

IN WITNESS WHEREOF, I have hereunto set my hand as of this 12 day of June, 2006.


Ed Zeman, Chief Financial Officer and
Secretary

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EXHIBIT A

SECOND AMENDED AND RESTATED
ARTICLES OF INCORPORATION
OF
MENDOTA HEALTHCARE, INC.

ARTICLE I

NAME

The name of this Corporation is InstyMeds Corporation.

ARTICLE II

REGISTERED OFFICE

The registered office of this Corporation shall be located at 6501 City West Parkway, Eden Prairie, Minnesota 55344.

ARTICLE III

CAPITAL

The aggregate number of shares of stock which this Corporation shall have the authority to issue is Seventy-Five Million (75,000,000) shares with a par value of one cent (\$0.01) per share.

ARTICLE IV

CLASSES AND SERIES OF STOCK

In addition to, and not by way of limitation of, the powers granted to the Board of Directors by Minnesota Statutes, Chapter 302A, the Board of Directors of this Corporation shall have the power and authority to fix by resolution any designation, class, series, voting power, preference, right, qualification, limitation, restriction, dividend, time and price of redemptions, and conversion right with respect to any stock of the Corporation. Upon adoption of such resolution, a statement shall be filed with the Secretary of State in compliance with Section 302A.401, Minnesota Statutes, before the issuance of any shares for which the resolution creates rights or preferences not set forth in these Articles; provided, however, where the shareholders have received notice of the creation of shares with rights or preferences not set forth in the Articles before the issuance of the shares, the statement may be filed any time within one year after the issuance of the shares.

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ARTICLE V**SHAREHOLDER VOTING**

No shareholder of the corporation shall be entitled to any cumulative voting rights.

The shareholders of the corporation shall take action by the affirmative vote of the holders of a majority of the shares present and entitled to vote, except where a larger proportion is required by law, these Articles of Incorporation or a shareholder control agreement, or as otherwise provided for herein.

The shareholders of the corporation shall take any action required or permitted to be taken at a meeting of the shareholders may by written action signed, or consented to by authenticated electronic communication, by the shareholders having voting power equal to the voting power that would be required to take the same action at a meeting of the shareholders at which all of shareholders were present

The affirmative vote of a majority of the voting power of all shares entitled to vote shall be required to authorize the sale, lease, exchange or other disposition of all or substantially all of the property and assets of the Corporation, including its goodwill, to amend the Articles of Incorporation, to adopt or reject an agreement of merger or to authorize the dissolution of the Corporation.

ARTICLE VI**PREEMPTIVE RIGHTS**

No shareholder of this Corporation shall have any preferential, preemptive or other rights to subscribe for, purchase or acquire any shares of the Corporation of any class, whether unissued or now or hereafter authorized, or any obligations or other securities convertible into or exchangeable for any such shares.

ARTICLE VII**BOARD ACTION WITHOUT A MEETING**

Any action required or permitted to be taken at a meeting of the Board of Directors of this Corporation not needing approval by the shareholders under Minnesota Statutes, Chapter 302A, may be taken by written action signed by the number of directors that would be required to take such action at a meeting of the Board of Directors at which all directors were present.

ARTICLE VIII**BOARD OF DIRECTORS**

The number of directors of this Corporation shall be fixed in the manner provided in the Bylaws.

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ARTICLE IX

DIRECTOR LIABILITY

No director of this Corporation shall be personally liable to the Corporation or its shareholders for monetary damages for breach of fiduciary duty as a director, except for liability (i) for any breach of the director's duty of loyalty to the Corporation or its shareholders; (ii) for acts or omissions not in good faith or that involve intentional misconduct or a knowing violation of law; (iii) under Section 302A.559 or 80A.23 of the Minnesota Statutes; or (iv) for any transaction from which the director derives any improper personal benefit.

The provisions of this Article VIII shall not be deemed to limit or preclude indemnification of a director by the Corporation for any liability of a director which has not been eliminated by the provisions of this article.

If the Minnesota Statutes hereafter are amended to authorize the further elimination or limitation of the liability of directors, then the liability of a director of the Corporation shall be eliminated or limited to the fullest extent permitted by the amended Minnesota Statutes.

ARTICLE X

AMENDMENTS

These Second Amended and Restated Articles of Incorporation supersede any and all prior Articles of Incorporation of the Corporation and any amendments thereto.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

JUN 14 2008

Henry Hoffmann
Secretary of State

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