

## PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1  
 Stylesheet Version v1.2

EPAS ID: PAT3617285

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	CHANGE OF NAME		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>			<b>Execution Date</b>
ACCEL R8 TECHNOLOGY CORPORATION			12/24/2012
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	ACCELERATE DIAGNOSTICS, INC.		
<b>Street Address:</b>	3950 S. COUNTRY CLUB ROAD		
<b>Internal Address:</b>	SUITE 470		
<b>City:</b>	TUCSON		
<b>State/Country:</b>	ARIZONA		
<b>Postal Code:</b>	85714		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>		
<b>Application Number:</b>	13843460		
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	(503)595-5301		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
<b>Phone:</b>	(503) 595-5300		
<b>Email:</b>	sheree.rybak@klarquist.com		
<b>Correspondent Name:</b>	SHEREE LYNN RYBAK, PH.D.		
<b>Address Line 1:</b>	121 S.W. SALMON STREET, SUITE 1600		
<b>Address Line 2:</b>	ONE WORLD TRADE CENTER		
<b>Address Line 4:</b>	PORTLAND, OREGON 97204		
<b>ATTORNEY DOCKET NUMBER:</b>	9432-95896-11		
<b>NAME OF SUBMITTER:</b>	SHEREE LYNN RYBAK, PH.D.		
<b>SIGNATURE:</b>	/Sheree Lynn Rybak/		
<b>DATE SIGNED:</b>	11/16/2015		
<b>Total Attachments: 11</b>			
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# Delaware

PAGE 1

*The First State*

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF CONVERSION OF A COLORADO CORPORATION UNDER THE NAME OF "ACCELRS TECHNOLOGY CORPORATION" TO A DELAWARE CORPORATION, CHANGING ITS NAME FROM "ACCELRS TECHNOLOGY CORPORATION" TO "ACCELERATE DIAGNOSTICS, INC.", FILED IN THIS OFFICE ON THE TWENTY-FOURTH DAY OF DECEMBER, A.D. 2012, AT 12:13 O'CLOCK P.M.

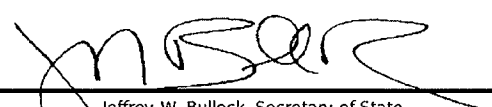
A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



5265291 8100V

121385421

You may verify this certificate online  
at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 0095522

DATE: 12-24-12

PATENT  
REEL: 037113 FRAME: 0176

**ACCEL8 TECHNOLOGY CORPORATION**

**STATE OF DELAWARE  
CERTIFICATE OF CONVERSION  
FROM A NON-DELAWARE CORPORATION  
TO A DELAWARE CORPORATION  
PURSUANT TO SECTION 265 OF THE  
DELAWARE GENERAL CORPORATION LAW**

1. The jurisdiction where the non-Delaware corporation first formed is Colorado.
2. The jurisdiction immediately prior to filing this Certificate is Colorado.
3. The date the non-Delaware corporation first formed is May 26, 1982.
4. The name of the non-Delaware corporation immediately prior to filing this Certificate is Accelr8 Technology Corporation.
5. The name of the corporation as set forth in the Certificate of Incorporation is Accelerate Diagnostics, Inc.
6. This conversion will be effective immediately upon filing with the Delaware Secretary of State.

IN WITNESS WHEREOF, the undersigned being duly authorized to sign on behalf of the converting non-Delaware corporation has executed this Certificate on the 24th day of December, 2012.

ACCEL8 TECHNOLOGY CORPORATION

By: 

Lawrence Mehren  
President and Chief Executive Officer

# Delaware

PAGE 2

*The First State*

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND CORRECT COPY OF CERTIFICATE OF INCORPORATION OF "ACCELERATE DIAGNOSTICS, INC." FILED IN THIS OFFICE ON THE TWENTY-FOURTH DAY OF DECEMBER, A.D. 2012, AT 12:13 O'CLOCK P.M.


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



5265291 8100V

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at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 0095522

DATE: 12-24-12

PATENT  
REEL: 037113 FRAME: 0178

**CERTIFICATE OF INCORPORATION  
OF  
ACCELERATE DIAGNOSTICS, INC.**

**Article I  
Name**

The name of the corporation is Accelerate Diagnostics, Inc. (the "Corporation").

**Article II  
Registered Office**

The address of the Corporation's registered office in the State of Delaware is Corporation Trust Center, 1209 Orange Street, City of Wilmington, County of New Castle, Delaware 19801. The name of its registered agent at such address is The Corporation Trust Company.

**Article III  
Purposes**

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

**Article IV  
Capital Stock**

The Corporation shall be authorized to issue two classes of shares of capital stock, to be designated, respectively, "Common Stock" and "Preferred Stock." The total number of shares of Common Stock and Preferred Stock that the Corporation shall have authority to issue is fifty million (50,000,000) of which forty-five million (45,000,000) shares shall be Common Stock, par value \$0.001 per share, and five million (5,000,000) shares shall be Preferred Stock, par value \$0.001 per share.

The Board of Directors is hereby expressly authorized to provide, out of the unissued shares of Preferred Stock, for one or more series of Preferred Stock and, with respect to each such series, to fix the number of shares constituting such series and the designation of such series, the voting powers, if any, of the shares of such series, and the preferences and relative, participating, optional or other special rights, if any, and any qualifications, limitations or restrictions thereof, of the shares of such series. The powers, preferences and relative, participating, optional and other special rights of each series of Preferred Stock, and the qualifications, limitations or restrictions thereof, if any, may differ from those of any and all other series at any time outstanding.

**Article V  
Incorporator**

The incorporator of the corporation is Lawrence Mehren, whose mailing address is c/o Accelerate Diagnostics, Inc., 7000 North Broadway, Building 3-307, Denver, Colorado 80221.

The powers of the incorporator are to terminate upon the filing of this Certificate of Incorporation.

## **Article VI Directors**

The number of directors which shall comprise the initial Board of Directors of the Corporation shall be four (4). The size of the Board of Directors may be increased or decreased in the manner provided in the Bylaws of the Corporation. All corporate powers of the Corporation shall be exercised by or under the direction of the Board of Directors except as otherwise provided herein or by law. Unless and to the extent that the Bylaws of the Corporation shall so require, the election of directors of the Corporation need not be by written ballot.

## **Article VII Bylaws**

In furtherance and not in limitation of the powers conferred by the laws of the State of Delaware, the Board of Directors of the Corporation is expressly authorized to make, alter and repeal the Bylaws of the corporation, subject to the power of the stockholders of the corporation to adopt, alter or repeal any Bylaw of the corporation, whether adopted by them or otherwise, to the extent required by the General Corporation Law of the State of Delaware.

## **Article VIII Limitation of Liability; Indemnification**

1. Limitation of Liability. To the fullest extent permitted by law, a director of the Corporation shall not be personally liable to the Corporation or to its stockholders for monetary damages for any breach of fiduciary duty as a director. No amendment to, modification of or repeal of this Article VIII, Paragraph 1 shall apply to or have any effect on the liability or alleged liability of any director of the Corporation for or with respect to any acts or omissions of such director occurring prior to such amendment.

2. Indemnification. The Corporation shall indemnify, advance expenses, and hold harmless, to the fullest extent permitted by applicable law as it presently exists or may hereafter be amended, any person (a "Covered Person") who was or is made or is threatened to be made a party or is otherwise involved in any action, suit or proceeding, whether civil, criminal, administrative or investigative (a "Proceeding"), by reason of the fact that he or she, or a person for whom he or she is the legal representative, is or was a director or officer of the Corporation or, while a director or officer of the Corporation, is or was serving at the request of the Corporation as a director, officer, employee or agent of another corporation or of a partnership, joint venture, trust, enterprise or nonprofit entity, including service with respect to employee benefit plans, against all liability and loss suffered and expenses (including attorneys' fees) reasonably incurred by such Covered Person. Notwithstanding the preceding sentence, except for claims for indemnification (following the final disposition of such Proceeding) or advancement of expenses not paid in full, the Corporation shall be required to indemnify a Covered Person in connection with a Proceeding (or part thereof) commenced by such Covered Person only if the commencement of such Proceeding (or part thereof) by the Covered Person

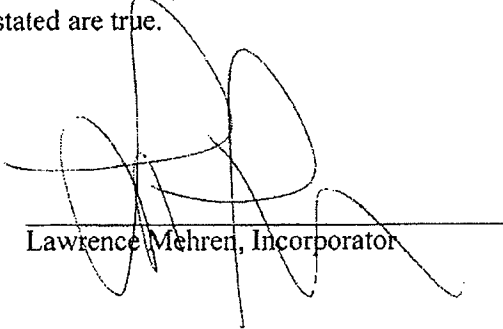
was authorized in the specific case by the Board of Directors of the Corporation. Any amendment, repeal or modification of this Article VIII, Paragraph 2 shall not adversely affect any right or protection hereunder of any person in respect of any act or omission occurring prior to the time of such repeal or modification.

#### **Article IX Amendment**

The corporation reserves the right at any time, and from time to time, to amend, alter, change or repeal any provision contained in this Certificate of Incorporation, in the manner now or hereafter prescribed by law; and all rights, preferences and privileges of whatsoever nature conferred upon stockholders, directors or any other persons whomsoever by and pursuant to this Certificate of Incorporation in its present form or as hereafter amended are granted subject to the rights reserved in this Article IX.

I, THE UNDERSIGNED, for the purposes of incorporating and organizing a corporation under the General Corporation Law of the State of Delaware, do execute this Certificate of Incorporation, and do certify that the facts herein stated are true.

DATED this 24th day of December, 2012.



\_\_\_\_\_  
Lawrence Mehren, Incorporator



AZ CORPORATION COMMISSION  
FILED

JAN 16 2013

APPLICATION FOR AUTHORITY  
TO TRANSACT BUSINESS  
IN ARIZONA

FILE NO. F-1818382-9

The name of the corporation is Accelerate Diagnostics, Inc.  
a Delaware corporation

X

We are a foreign corporation applying for authority to transact business in the state of Arizona.

1. The exact name of the foreign corporation is Accelerate Diagnostics, Inc.
2. The name of the state or country in which the foreign corporation is incorporated is: Delaware.
3. The foreign corporation was incorporated on December 24, 2012 and the period of its duration is perpetual.
4. The street address of the principal office of the foreign corporation in the state or country of its incorporation is: c/o The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.
5. The name and street address of the statutory agent for the foreign corporation in Arizona is CT Corporation System, 2390 East Camelback Road, Phoenix, Arizona 85016.
- 5.a. The street address of the known place of business of the foreign corporation in Arizona, IF DIFFERENT from the street address of the statutory agent, is: 3950 S. Country Club Road, Suite 470, Tucson, Arizona 85714.
- 5.b. General correspondence should be mailed to the address specified above in section 4 \_\_\_ or section 5.a. X.
6. The purpose of the corporation is to engage in any and all lawful business in which corporations may engage in the state or country under whose law the foreign corporation is incorporated, with the following limitations, if any: NONE
7. The names and usual business addresses of the current directors and officers of the foreign corporation are:

Lawrence Mehren

Director, President,  
CEO3950 S. Country Club Road  
Suite 470  
Tucson, Arizona 85714

Jack Schuler	Director	3950 S. Country Club Road Suite 470 Tucson, Arizona 85714
John Patience	Director	3950 S. Country Club Road Suite 470 Tucson, Arizona 85714
Matthew Strobeck	Director	3950 S. Country Club Road Suite 470 Tucson, Arizona 85714
Steve Reichling	Chief Financial Officer	3950 S. Country Club Road Suite 470 Tucson, Arizona 85714

8. The foreign corporation is authorized to issue 50,000,000 shares, itemized as follows:
  - 45,000,000 shares of Common Stock, \$0.001 par value
  - 5,000,000 shares of Preferred Stock, \$0.001 par value
9. The foreign corporation has issued 25,331,939 shares, itemized as follows:
  - 25,331,939 shares of Common Stock, \$0.001 par value
10. The character of business the foreign corporation initially intends to conduct in Arizona is to develop instrumentation for the identification and testing of infectious pathogens.

Dated: January 16, 2013

ACCELERATE DIAGNOSTICS, INC.

By: Steve Reichling  
Name: Steve Reichling  
Title: Chief Financial Officer & Secretary

The undersigned hereby acknowledges and accepts the appointment as statutory agent of the above named corporation, effective as of the date set forth below.

Dated: January <sup>16</sup>\_\_, 2013

CT CORPORATION SYSTEM

By: Terrie Bates  
Name: Terrie Bates  
Title: Asst. Secy.

1644E248.1

## SCHEDULE A

DOCKET NO.	CO.	SERIAL NO.	FILING DATE	PATENT NO.	ISSUE DATE	STATUS
62531.0150	US	60/486,605	07/12/2003			Expired
62531.0151	US	60/571,479	05/13/2004			Expired
62531.0100	US	10/888,828	07/08/2004	7,687,239	03/30/2010	Issued
62531.0117	US	12/702,210	02/08/2010			Pending
62531.0136	US	13/763,446	02/08/2013			Pending
62531.0116	WO	PCT/US2004/022025	07/08/2004			Expired
62531.0101	AU	2004273783	07/08/2004			Abandoned
62531.0193	AU	2010201140	07/08/2004	2010201140	02/14/2013	Issued
62531.0194	AU	2012241186	07/08/2004			Pending
62531.0103	CA	2,532,414	07/08/2004			Pending
62531.0105	EP	04809482.5	07/08/2004			Pending
62531.0110	JP	2006-520235	07/08/2004	4773348	07/01/2011	Issued
62531.0250	US	60/637,423	12/16/2004			Expired
62531.0251	US	60/638,989	12/22/2004			Expired
62531.0200	US	11/303,803	12/16/2005	7,341,841	03/11/2008	Issued
62531.0217	US	12/021,087	01/28/2008	8,071,319	12/06/2011	Issued
62531.0236	US	13/311,100	12/05/2011			Published
62531.0237	US	13/843,460	03/15/2013			Pending
62531.0216	WO	PCT/US2005/045961	12/16/2005			Expired
62531.0201	AU	2005316267	12/16/2005	2005316267	02/21/2013	Issued
62531.0203	CA	2,589,976	12/16/2005			Pending
62531.0205	EP	05854636.7	12/16/2005			Published
62531.0210	JP	2007-547005	12/16/2005			Abandoned
62531.0350	US	60/301,223	06/26/2001			Expired
62531.0300	US	10/180,199	06/25/2002	6,844,028	01/18/2005	Issued
62531.0317	US	10/718,880	11/21/2003	7,067,194	06/27/2006	Issued
62531.0336	US	10/964,845	10/13/2004	7,629,029	12/08/2009	Issued
62531.0337	US	12/632,609	12/07/2009	8,178,602	05/15/2012	Issued
62531.0338	US	13/468,841	05/10/2012			Pending
62531.0316	WO	PCT/US2002/020408	06/26/2002			Expired
62531.0301	AU	2002310516	06/26/2002			Abandoned
62531.0303	CA	2,455,393	06/26/2002	2,455,393	01/03/2012	Issued
62531.0305	EP	02737596.3	06/26/2002			Published
62531.0309	IL	159556	06/26/2002	159556	11/21/2006	Issued
62531.0310	JP	2003-506665	06/26/2002			Abandoned
62531.0450	US	60/536,596	01/15/2004			Expired
62531.0451	US	60/541,885	01/31/2004			Expired
62531.0452	US	60/561,240	04/10/2004			Expired
62531.0400	US	11/035,849	01/13/2005	7,501,157	03/10/2009	Expired
62531.0416	WO	PCT/US2005/001373	01/14/2005			Abandoned
62531.0650	US	60/085,259	05/13/1998			Expired
62531.0600	US	09/311,663	05/13/1999			Abandoned
62531.0616	WO	PCT/US1999/010917	05/13/1999			Expired
62531.0601	AU	41900/99	05/13/1999			Abandoned
62531.0603	CA	2,331,787	05/13/1999			Abandoned

## SCHEDULE A

DOCKET NO.	CO.	SERIAL NO.	FILING DATE	PATENT NO.	ISSUE DATE	STATUS
62531.0605	EP	99925655.5	05/13/1999			Abandoned
62531.0609	IL	139631	05/13/1999			Abandoned
62531.0610	JP	548701/2000	05/13/1999			Abandoned
62531.0615	NZ	508062	05/13/1999	508062	08/05/2002	Abandoned
62531.0700	US	10/084,632	02/25/2002			Abandoned
62531.0717	US	11/552,111	10/23/2006			Abandoned
62531.0716	WO	PCT/US2003/006086	02/25/2003			Expired
62531.0705	EP	03716230.2	02/25/2003			Abandoned
62531.0800	US	08/820,365	03/12/1997	5,958,704	09/28/1999	Expired
62531.0817	US	09/346,039	07/06/1999	6,274,384	08/14/2001	Issued
62531.0836	US	09/882,396	06/14/2001			Abandoned
62531.0816	WO	PCT/US1998/04086	02/24/1998			Expired
62531.0801	AU	199865400	02/24/1998			Abandoned
62531.0893	AU	200234286	02/24/1998			Abandoned
62531.0803	CA	2,286,134	02/24/1998			Abandoned
62531.0805	EP	98911454.1	02/24/1998			Abandoned
62531.0810	JP	10-539613	02/24/1998			Abandoned
62531.0815	NZ	337980	02/24/1998	337980	01/10/2002	Abandoned
62531.0820	TW	87103566	03/11/1998			Abandoned
62531.0881	ZA	98/1986	03/09/1998	98/1986	11/25/1998	Abandoned
62531.0950	US	60/709,650	08/19/2005			Expired
62531.1050	US	60/973,082	09/17/2007			Expired
62531.1150	US	61/072,672	03/31/2008			Expired
62531.1116	WO	PCT/US2009/038988	03/31/2009			Abandoned
62531.1250	US	61/449,824	03/07/2011			Expired
62531.1216	WO	PCT/US2012/028139	03/07/2012			Pending
62531.1950	US	61/699,191	09/10/2012			Pending