

FORM PTO-1594
(Rev. 6-93)
OMB No. 0651-0011 (exp. 4/94)
M&G 13156.0000001

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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

1. Name of conveying party(ies):

Level I, Inc.

Individuals Association
 General Partnership Limited Partnership
 Corporation-State of Massachusetts
 Other: _____

Additional name(s) of conveying party(ies) attached? Yes No

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

Smiths Medical ASD, Inc.
10 Bowman Drive
Keene, NH 03431

Individual(s) citizenship Association
 General Partnership Limited Partnership
 Corporation-State of Delaware
 Other: _____

If assignee is not domiciled in the United States, a domestic representative designation is attached:
 Yes No
 (Designations must be separate document from Assignment)

Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other: _____

Execution Date: December 18, 2003

4. Application number(s) or trademark number(s):

A. Trademark Application No.(s)/ Mark(s)
See attached Schedule A.

Additional numbers attached? Yes No

B. Trademark Reg. No.(s)/Mark(s)
See attached Schedule A.

5. Name and address of party to whom correspondence concerning document should be mailed:
 Name: Sandra Epp Ryan, Esq.
 Address: MERCHANT & GOULD P.C.
 P.O. Box 2910
 Minneapolis, MN 55402-0910

6. Total number of applications and trademarks involved: 19

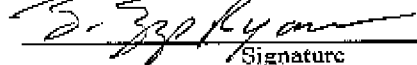
7. Total fee (37 CFR 3.41): \$490.00
 Enclosed
 Authorized to be charged to deposit account

8. Please charge any additional fees or credit any overpayments to our Deposit account number: 13-2725

DO NOT USE THIS SPACE

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.

Sandra Epp Ryan  January 9, 2004
 Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and document: 4

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:
Mail Stop Assignment Recordation Services
 Director of the United States Patent and Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

CH \$490.00 132726 76441307

SCHEDULE A
(Merger of Level 1, Inc. into Smiths Medical ASD, Inc.)

ACOUSTASCOPE
REG. NO.: 1,674,136

HOTLINE
REG. NO.: 1,732,061

ADAP-TEMP
REG. NO.: 1,677,442

JOEY
REG. NO.: 2,449,839

BI-TEMP
REG. NO.: 1,674,135

LEVEL 1
SERIAL NO.: 76-517,287

CONTROLLED CONVECTIVE WARMING
SERIAL NO.: 76-441,307

LEVEL 1
REG. NO.: 1,458,203

EQUATOR
SERIAL NO.: 76-975,914

NEO-THERM
REG. NO.: 1,944,664

EQUATOR
SERIAL NO.: 76-262,442

NORMOFLO
REG. NO.: 2,643,719

EQUATOR 1 CONVECTIVE WARMING
REG. NO.: 2,762,407

SNUGAROO
REG. NO.: 1,998,275

HEATTQM
SERIAL NO.: 76-447,836

SNUGGLE WARM
REG. NO.: 1,944,663

HEATTQM
SERIAL NO.: 76-446,931

TEMPERATURE MANAGEMENT
SOLUTIONS
SERIAL NO.: 76-418,276

Miscellaneous Design (kangaroo design)
REG. NO.: 1,998,276

Delaware

PAGE 1

The First State

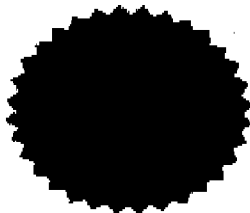
I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"LEVEL 1, INC.", A MASSACHUSETTS CORPORATION,

WITH AND INTO "SMITHS MEDICAL ASD, INC." UNDER THE NAME OF "SMITHS MEDICAL ASD, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-SECOND DAY OF DECEMBER, A.D. 2003, AT 7:53 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE TWENTY-NINTH DAY OF DECEMBER, A.D. 2003.

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



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

2059956 8100M

030826877

AUTHENTICATION: 2841863

DATE: 12-30-03

TRADEMARK

REEL: 002776 FRAME: 0259

**STATE OF DELAWARE
CERTIFICATE OF MERGER OF
DOMESTIC CORPORATIONS**

Pursuant to Title 8, Section 252, of the Delaware General Corporation Law, the undersigned corporation executed the following Certificate of Merger:

FIRST: The name of the surviving corporation is Smiths Medical ASD, Inc., a Delaware corporation, and the name of the corporation being merged into this surviving corporation is Level 1, Inc., a Massachusetts corporation

SECOND: The Agreement of Merger has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations.

THIRD: The name of the surviving corporation is Smiths Medical ASD, Inc., a Delaware corporation.

FOURTH: The Certificate of Incorporation of the surviving corporation shall be its Certificate of Incorporation.

FIFTH: The merger is to become effective on December 29, 2003

SIXTH: The Agreement of Merger is on file at Smiths Medical ASD, Inc., Keene, New Hampshire the place of business of the surviving corporation.

SEVENTH: A copy of the Agreement of Merger will be furnished by the surviving corporation on request, without cost, to any stockholder of the constituent corporations.

EIGHTH: The authorized capital stock of each foreign corporation which is a party to the merger is as follows:

Level 1, Inc. common 200,000 no par value

IN WITNESS WHEREOF, said surviving corporation has caused this certificate to be signed by an authorized officer, the 18th day of December, A.D. 2003

By: *[Signature]*
Authorized Officer

Name: Jeanna M. Gunderson
Print or Type

Title: Secretary

State of Delaware
Secretary of State
Division of Corporations
Delivered 08:01 PM 12/22/2003
FILED 07:53 PM 12/22/2003
SRV 030828877 - 2059956 FILE

Merchant & Gould

An Intellectual Property Law Firm

3200 IDS Center
80 South Eighth Street
Minneapolis, Minnesota
55402-2215 USA
TEL 612.332.5300
FAX 612.332.9081
www.merchant-
gould.com

A Professional Corporation

Fax Transmission | January 12, 2004

TO: Commissioner for Trademarks
Attn: Assignment Division

FROM: Sandra Epp Ryan, Esq.
OUR REF: 13156.000001
TELEPHONE: 612-332-5300

Total pages, including cover letter: **6**

PTO FAX NUMBER: **1-703-306-5995**

If you do NOT receive all of the pages, please telephone us at 612.332.5300, or fax us at 612.332.9081.

Title of Document Transmitted:

- **Recordation Form Cover Sheet - Trademarks Only (in duplicate)**
- **Schedule A**
- **Certificate of Merger**

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 2.197

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office - Assignment Division on the date shown below.



Sandra Epp Ryan

1-12-04

(Date)

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Sandra Epp Ryan
Name of Person Signing *S. Epp Ryan* Signature January 9, 2004 Date

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