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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

07 MAY 29 PM 3:32

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AND
FILED

D. McKnight MAY 30 2007

COVER LETTER

TO: New Filing Section
Division of Corporations

SUBJECT: NANOGEN, INC.
(Name of corporation - must include suffix)

Dear Sir or Madam:

The enclosed "Application by Foreign Corporation for Authorization to Transact Business in Florida," "Certificate of Existence," and check are submitted to register the above referenced foreign corporation to transact business in Florida.

Please return all correspondence concerning this matter to the following:

WILLIAM L. RESPESS
(Name of Person)
NANOGEN, INC.
(Firm/Company)
10398 PACIFIC CENTER COURT
(Address)
SAN DIEGO, CA 92121
(City/State and Zip code)

For further information concerning this matter, please call:

WILLIAM L. RESPESS at (858) 410-4600
(Name of Person) (Area Code & Daytime Telephone Number)

STREET/COURIER ADDRESS:

New Filing Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301

MAILING ADDRESS:

New Filing Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Enclosed is a check for the following amount:

- ☐ \$70.00 Filing Fee ☐ \$78.75 Filing Fee & Certificate of Status ☐ \$78.75 Filing Fee & Certified Copy ☒ \$87.50 Filing Fee, Certificate of Status & Certified Copy

**APPLICATION BY FOREIGN CORPORATION FOR AUTHORIZATION TO TRANSACT
BUSINESS IN FLORIDA**

IN COMPLIANCE WITH SECTION 607.1503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO
REGISTER A FOREIGN CORPORATION TO TRANSACT BUSINESS IN THE STATE OF FLORIDA.

1. NANOGEN, INC.
(Enter name of corporation; must include "INCORPORATED," "COMPANY," "CORPORATION,"
"Inc.," "Co.," "Corp.," "Inc.," "Co.," or "Corp.")

(If name unavailable in Florida, enter alternate corporate name adopted for the purpose of transacting business in Florida)

2. DELAWARE 3. 33-0489621
(State or country under the law of which it is incorporated) (FEI number, if applicable)

4. SEPTEMBER 10, 1997 5. PERPETUAL
(Date of incorporation) (Duration: Year corp. will cease to exist or "perpetual")

6. Nanogen has sold products in Florida but does not believe that it transacts
business in Florida within the meaning of F.S. 607.1501.
(Date first transacted business in Florida, if prior to registration)
(SEE SECTIONS 607.1501 & 607.1502, F.S., to determine penalty liability)

7. 10398 PACIFIC CENTER COURT, SAN DIEGO, CA 92121
(Principal office address)

SAME

(Current mailing address)

8. Engage in any lawful act or activity for which a corporation
may be organized under the General Corporation Law of
Delaware
(Purpose(s) of corporation authorized in home state or country to be carried out in state of Florida)

9. Name and street address of Florida registered agent: (P.O. Box NOT acceptable)

Name: CT Corporation System

Office Address: 1200 Pine Island Road

Plantation FL

(City)

, Florida 33324
(Zip code)

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10. Registered agent's acceptance:

Having been named as registered agent and to accept service of process for the above stated corporation at the place designated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

M. T. Fitzpatrick
(Registered agent's signature)

M.T. FITZPATRICK
ASSISTANT SECRETARY

11. Attached is a certificate of existence duly authenticated, not more than 90 days prior to delivery of this application to the Department of State, by the Secretary of State or other official having custody of corporate records in the jurisdiction under the law of which it is incorporated.

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TALLAHASSEE, FLORIDA

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12. Names and business addresses of officers and/or directors:

A. DIRECTORS

Chairman: SEE ATTACHED LIST

Address: _____

Vice Chairman: SEE ATTACHED LIST

Address: _____

Director: SEE ATTACHED LIST

Address: _____

Director: SEE ATTACHED LIST

Address: _____

B. OFFICERS

President: SEE ATTACHED LIST

Address: _____

Vice President: SEE ATTACHED LIST

Address: _____

Secretary: SEE ATTACHED LIST

Address: _____

Treasurer: SEE ATTACHED LIST

Address: _____

NOTE: If necessary, you may attach an addendum to the application listing additional officers and/or directors.

13. William L. Respass
(Signature of Director or Officer listed in number 12 of the application)

14. WILLIAM L. RESPASS, SR. V.P., General Counsel
(Typed or printed name and capacity of person signing application)

**ATTACHMENT TO APPLICATION FOR BUSINESS AUTHORITY
FOR THE STATE OF FLORIDA**

NANOGEN, INC.

Corporate Directors and Business Addresses

Chairman and CEO

Howard Birndorf 10398 Pacific Center Court, San Diego, CA 92121

Vice Chairman

None

Directors

1. Howard Birndorf	10398 Pacific Center Court, San Diego, CA 92121
2. David Schreiber	15 Trotters Lane, Monroe, CT 06468
3. Robert Whalen	14829 Rancho Valencia Vista, Rancho Santa Fe, CA 92067
4. Heiner Dreismann	4253 Golden Oak Ct., Danville, CA 94506
5. Stelios Papadopoulos	15528 Churchill Downs, Rancho Santa Fe, CA 92067

Officers:

President and COO

David Ludvigson 10398 Pacific Center Court, San Diego, CA 92121

Vice President

William Respass 10398 Pacific Center Court, San Diego, CA 92121

Secretary/General Counsel

William Respass 10398 Pacific Center Court, San Diego, CA 92121

Treasurer/CFO

Robert Saltmarsh 10398 Pacific Center Court, San Diego, CA 92121

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Delaware

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The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "NANOGEN, INC." IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-THIRD DAY OF MAY, A.D. 2007.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL REPORTS HAVE BEEN FILED TO DATE.

AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE BEEN PAID TO DATE.

APPROVED
AND
FILED

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

2794836 8300

070607630



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 5700041

DATE: 05-23-07