

06-21-2001

**COVER SHEET  
NLY**



To the Honorable Court

101755301

Record the attached original documents or copy thereof.

1. Name of conveying party(ies)  
NZ Applied Technologies Corp.

6-18-01

2. Name and address of receiving party(ies)

Name: Corning Applied Technologies Corp.

Internal Address: \_\_\_\_\_

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

3. Nature of conveyance:

- ☐ Assignment ☒ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: May 5, 2000

Street Address: 14 A Gill Street

City: Woburn State: MA ZIP: 01801

Additional 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)  
09/345,904

B. Patent No.(s)  
6,084,667

Additional numbers attached? ☐ Yes ☒ No

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

Name: Thomas O. Hoover

Internal Address: \_\_\_\_\_

Hamilton, Brook, Smith & Reynolds, P.C.

Street Address: Two Militia Drive

City: Lexington State: MA ZIP: 02421-4799

6. Total number of applications and patents involved: [ 2 ]

7. Total Fee (37 C.F.R. 3.41)..... \$ 80.00

- ☒ Enclosed  
☒ Authorized to charge any deficiencies or credit any overpayment to deposit account  
☐ Authorized to be charged to deposit account

8. Deposit account number:

08-0380

(Attach duplicate copy of this page if paying by deposit account)

**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.*

Thomas O. Hoover

Name of Person Signing

Thomas O. Hoover  
Signature

June 14, 2001  
Date

06/20/2001 TD1A21 00000106 09345904

01 581

Total number of pages including cover sheet, attachments, and document: [ 8 ]

# The Commonwealth of Massachusetts

William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

## ARTICLES OF ~~INCORPORATION~~ / \*MERGER (General Laws, Chapter 156B, Section 78)

081  
021  
022  
024  
029  
030  
032  
052

~~INCORPORATION~~ / \*merger of

NZ Applied Technologies Corporation (S)

and

Corning Applied Technologies Corporation (S)

the constituent corporations, into

NZ Applied Technologies Corporation

~~INCORPORATION~~ / one of the constituent corporations.

The undersigned officers of each of the constituent corporations certify under the penalties of perjury as follows:

1. An agreement of ~~INCORPORATION~~ / \*merger has been duly adopted in compliance with the requirements of General Laws, Chapter 156B, Section 78, and will be kept as provided by Subsection (d) thereof. The ~~INCORPORATION~~ / surviving corporation will furnish a copy of said agreement to any of its stockholders, or to any person who was a stockholder of any constituent corporation, upon written request and without charge.

2. The effective date of the ~~INCORPORATION~~ / \*merger determined pursuant to the agreement of ~~INCORPORATION~~ / \*merger shall be the date approved and filed by the Secretary of the Commonwealth. If a later effective date is desired, specify such date which shall not be more than *thirty days* after the date of filing:

### 3. (For a merger)

\*\*The following amendments to the Articles of Organization of the *surviving* corporation have been effected pursuant to the agreement of merger:

The Articles of Organization of the surviving corporation shall be amended into the form of Articles of Organization of Corning Applied Technologies Corporation.

C  
P  
M  
R.A.

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\*Delete the inapplicable word.

\*\*If there are no provisions state "None".

Note: If the space provided under any article or item on this form is insufficient, additions shall be set forth on separate 8 1/2 x 11 sheets of paper with a left margin of at least 1 inch. Additions to more than one article may be made on a single sheet as long as each article requiring each addition is clearly indicated.

P.C.

PATENT

**Business Activities**

Business activities of the *resulting* corporation is to engage in the following business activities:

State the total number of shares and the par value, if any, of each class of stock which the *resulting* corporation is authorized to issue:

WITHOUT PAR VALUE		WITH PAR VALUE		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
		Common:	100,000	\$.01
		Preferred:		

If more than one class of stock is authorized, state a distinguishing designation for each class and provide a description of the shares, voting powers, qualifications, and special or relative rights or privileges of each class and of each series of shares authorized.

N/A

**(d)** The restrictions, if any, on the transfer of stock contained in the agreement of consolidation are:

None

**(e)** Other lawful provisions, if any, for the conduct and regulation of the business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining, or regulating the powers of the corporation, or of its directors or stockholders, or of any class of stockholders:

None

If there are no provisions state "None".

PATENT

REEL: 011898 FRAME: 0113

**Commonwealth of Massachusetts**

**William Francis Galvin**  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

**ARTICLES OF ORGANIZATION**  
(General Laws, Chapter 156B)

**ARTICLE I**

The exact name of the corporation is:

Corning Applied Technologies Corporation

**ARTICLE II**

The purpose of the corporation is to engage in the following business activities:

To design, produce, and manufacture opto-electronic materials of any kind and other opto-electronic component devices of any kind and to engage in any and all business activities in which a corporation organized under M.G.L. Ch. 156B may engage.

C  
P  
X  
R.A.

00110078

Note: If the space provided under this article is insufficient, additions shall be set forth on one or more sheets of separate 8 1/2 x 11 sheets of paper with a left margin of at least 1 inch. Additions to more than one article may be made on a single sheet so long as each article requiring each addition is clearly indicated.

### ARTICLE III

and par value, if any, of each class of stock which the corporation is authorized to issue:

	WITH PAR VALUE		
	TYPE	NUMBER OF SHARES	PAR VALUE
	Common:	100,000	\$.01
	Preferred:		

### ARTICLE IV

shall, prior to the issuance of any stock, state a distinguishing designation for each class. Prior to the issuance of any stock, whether or not outstanding, the corporation must provide a description of the preferences, relative rights to dividends of that class and of each other class of which shares are authorized within any class.

N/A

### ARTICLE V

restrictions, if any, imposed by the Articles of Organization upon the transfer of shares of stock of any class are:

none

### ARTICLE VI

\*Other lawful provisions, if any, for the conduct and regulation of the business and affairs of the corporation, for its dissolution, or for limiting, defining, or regulating the powers of the corporation, or of its directors or stockholders, or of any class of stockholders:

(see attached page 6A)

The preceding articles of incorporation were adopted by the incorporators of the corporation and are hereby certified to be a true and correct copy of the same as the same appear in the records of the corporation.

(a) The directors may make, amend or repeal the By-Laws in whole or in part, except to any provision thereof which by law or the By-Laws requires action by the stockholders.

(b) Meetings of the stockholders may be held anywhere in the United States.

(c) The corporation may be a partner or member in any business enterprise it would have the power to conduct by itself.

(d) The directors shall have the power to fix from time to time their compensation. No director shall be disqualified from holding any office by reason of any interest. In the event any director, officer or stockholder of this corporation individually, or any person in which any such director, officer or stockholder has any interest, may be a party to, or have any pecuniary or otherwise interested in, any contract, transaction or other act of the corporation, and

(1) such contract, transaction or act shall not be in any way invalidated or otherwise affected by that fact;

(2) no such director, officer or stockholder shall be liable to account to this corporation for any profit or benefit realized through any such contract, transaction or act, and

(3) any such director of this corporation may be counted in determining the existence of a quorum at any meeting of the directors or of any committee thereof which shall authorize any such contract, transaction or act, and may vote to authorize the same.

For the purpose of this paragraph (d), the term "interest" shall mean personal interest and interest as a director, officer, stockholder, shareholder, employee, trustee, member or beneficiary of any concern; and the term "concern" shall mean any corporation, association, trust, partnership, firm, person or other entity other than this corporation.

(e) To the fullest extent permitted by the Massachusetts Business Corporation Law, M.G.L. Ch. 156B, as the same exists or may hereafter be amended, a director of this corporation shall not be liable to the corporation or its stockholders for monetary damages for breach of fiduciary duty as a director.

4. The information contained in Item 4 is not a permanent part of the Articles of Organization of the \*resulting / \*surviving corporation.

(a) The street address of the ~~XXXXXXXXXX~~ \*surviving corporation in Massachusetts is: (post office boxes are not acceptable)

14A Gill Street, Woburn, MA 01801

(b) The name, residential address, and post office address of each director and officer of the ~~XXXXXXXXXX~~ \*surviving corporation is:

	NAME	RESIDENTIAL ADDRESS	POST OFFICE ADDRESS
President:	Gerald T. Fine	188 Cedar Street Corning, NY 14830	Same
Treasurer:	Mark S. Rogus	85 E. Fourth Street Corning, NY 14830	Same
Clerk:	William L. Juan	12 Churchill Place Big Flats, NY 14814	Same
Directors:	Jean-Louis MaPinze	162 Beartown Road Painted Post, NY 14870	Same
	William D. Eggers	29 Timber Lane Painted Post, NY 14870	Same
	James D. Flaws	138 West Hill Terrace Painted Post, NY 14870	Same
	A. John Peck, Jr.	72 Catherine Street Corning, NY 14830	Same

(c) The fiscal year (i.e. tax year) of the ~~XXXXXXXXXX~~ \*surviving corporation shall end on the last day of the month of December 31st.

(d) The name and business address of the resident agent, if any, of the ~~XXXXXXXXXX~~ \*surviving corporation is:

CT Corporation System  
101 Federal Street, 3rd Floor  
Boston, MA 02110

The undersigned officers of the several constituent corporations listed above further state under the penalties of perjury as to their respective corporations that the agreement of ~~XXXXXXXXXX~~ merger has been duly executed on behalf of such corporation and duly approved by the stockholders of such corporation in the manner required by General Laws, Chapter 156B, Section 7B.

Peter E. Norris, \*President / ~~XXXXXXXXXX~~

Rosemary F. Koch, \*Clerk / ~~XXXXXXXXXX~~

of NZ Applied Technologies Corporation

(Name of constituent corporation)

XXXXXXXXXX, \*President / \*Vice President

William L. Juan, \*Clerk / ~~XXXXXXXXXX~~

of Corning Applied Technologies Corporation

(Name of constituent corporation)

\*Delete the inapplicable words.



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THE COMMONWEALTH OF MASSACHUSETTS

ARTICLES OF \*CONSOLIDATION / \*MERGER

(General Laws, Chapter 156B, Section 78)

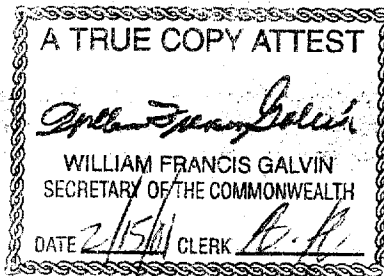
I hereby approve the within Articles of \*Consolidation / \*Merger and,  
the filing fee in the amount of \$ 250, having been paid,  
said articles are deemed to have been filed with me this 5th  
day of May, 2000

Effective date: \_\_\_\_\_

*William Francis Galvin*

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth



SECRETARY OF  
THE COMMONWEALTH  
00 MAY - 5 PM 3:00  
CORPORATION DIVISION

TO BE FILLED IN BY CORPORATION

Photocopy of document to be sent to:

Natalie A. West

Corporate Paralegal

Nixon Peabody LLP

101 Federal Street

Boston, MA 02110-1832

Telephone: (617) 345-1000

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