

FORM PTO-1595 (modified)

(Rev 6-93)

RECO

07-16-2001



101777420

U.S. DEPARTMENT OF COMMERCE

EET

Patent and Trademark Office

To the Director of the United States Patent and Trademark Office. Please record the attached original documents or copies thereof.

1. Name of conveying parties:

7-9-01

Thermo Optek Corporation  
5225 Verona Road  
Madison, WI 53711-4495

Additional conveying party(ies) **NO**

2. Name and address of receiving party:

Thermo Nicolet Corporation  
5225 Verona Road  
Madison, Wisconsin 53711-4495

Additional name(s) & address(es) attached? **NO**

3. Nature of conveyance:  
**Merger and Change of Name**

Execution Date:  
**December 26, 2000**

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

If this is being filed together with a new application, the execution date of the application is:

<p>A. Patent Application Number(s): <b>See Attachment A.</b></p>	<p>B. Patent Number(s): <b>See Attachment A.</b></p>
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Additional numbers attached? **YES**

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

Harry C. Engstrom  
FOLEY & LARDNER  
150 East Gilman Street  
P.O. Box 1497  
Madison, Wisconsin 53701-1497

6. Total number of applications/patents involved: **28**

7. Total fee (37 C.F.R. § 3.41): **\$1,120.00**

Check Enclosed

Charge to deposit account

8. Deposit account number: **06-1447**

07/13/2001 DBYRNE 00000007 09788855  
01 FC:581 1120.00 OP

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. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.*

Harry C. Engstrom

Name of person signing

Signature

JUNE 3, 2001

Date

Total number of pages including cover sheet, attachments, and document: 6

Recordation Form Cover Sheet  
PATENTS ONLY

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

Patent Application Numbers:

Patent Number(s):

09/788,855

4,573,794

09/778,485

4,588,893

4,632,553

4,786,169

4,799,001

4,844,614

4,847,878

4,914,297

4,915,502

4,959,867

4,991,961

5,045,703

5,086,619

5,107,366

5,133,598

5,150,172

5,153,675

5,227,631

5,239,361

5,247,343

5,276,545

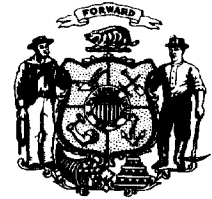
5,291,022

5,379,770

5,436,454

5,883,712

5,896,197



DEPARTMENT OF FINANCIAL INSTITUTIONS

To All to Whom These Presents Shall Come, Greeting:

I, RAY ALLEN, Administrator, Division of Corporate & Consumer Services, Department of Financial Institutions, do hereby certify that

THERMO NICOLET CORPORATION

is a domestic corporation organized under the laws of this state and that its date of incorporation is March 21, 1967.

I further certify that that articles of merger were filed with this department on December 29, 2000, changing name of said corporation from OPTEK-NICOLET HOLDINGS INC. to its present name of THERMO NICOLET CORPORATION, effective December 28, 2000; and

That said corporation has, within its most recently completed report year, filed an annual report required under ss. 180.1622, 180.1921 or 181.1622, Wis. Stats., and that it has not filed articles of dissolution.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department on 3 Apr 2001.

A handwritten signature in black ink, appearing to read "Ray Allen".

RAY ALLEN, Administrator  
Division of Corporate & Consumer Services  
Department of Financial Institutions

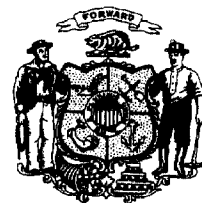
BY:

A handwritten signature in black ink, consisting of a large, stylized initial or set of initials.



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Effective July 1, 1996, the Department of Financial Institutions assumed the functions previously performed by the Corporations Division of the Secretary of State and is the successor custodian of corporate records formerly held by the Secretary of State.



DEPARTMENT OF FINANCIAL INSTITUTIONS

To All to Whom These Presents Shall Come, Greeting:

I, RAY ALLEN, Administrator, Division of Corporate & Consumer Services, Department of Financial Institutions, do hereby certify that the annexed copy has been compared with the document on file in the Corporation Section of the Division of Corporate & Consumer Services of this department, and that the same is a true copy thereof; and that I am the legal custodian of said document, and that this certification is in due form.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department.

A handwritten signature in black ink, appearing to read 'Ray Allen'.

RAY ALLEN, Administrator  
Division of Corporate & Consumer Services  
Department of Financial Institutions

DATE: APR 3 2001

BY:

A handwritten signature in black ink, appearing to be a stylized 'R'.

Effective July 1, 1996, the Department of Financial Institutions assumed the functions previously performed by the Corporations Division of the Secretary of State and is the successor custodian of corporate records formerly held by the Secretary of State.

### ARTICLES OF MERGER – DOMESTIC AND FOREIGN FOR-PROFIT CORPORATIONS

A. Name and state of incorporation of the merging (**non-surviving**) corporation(s):

Name:  Thermo Optek Corporation <i>NR</i>	State of Incorporation: Delaware
Name:	State of Incorporation:

B. Name (prior to any amendment in the Plan of Merger to change the name) and state of incorporation of the **surviving** corporation:

Name:  Optek-Nicolet Holdings Inc. <i>011N06279</i>	State of Incorporation: Wisconsin
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C. The adopted Plan of Merger (the "Plan") is attached as Exhibit A.

DEC 28 12:00PM  
#. A  
156907 DCORP 50 50.00

D. The Plan was approved by each foreign corporation that is a party to the merger in accordance with the laws of the state under which it was incorporated, and by each domestic corporation that is a party to the merger in accordance with (*select and (X) mark one of the following*)

( ) Sec. 180.1103, Wis. Stats.      **OR**      (X) Sec. 180.1104, Wis. Stats.

E. (OPTIONAL) These articles of merger, when filed, shall be effective (*See instructions. Select, complete and (X) mark one of the following*)

(X) At the time and date set by sec. 180.0123(1), Wis. Stats.

**OR**

( ) as of \_\_\_\_\_  
DEC 28 12:00PM  
#. B  
156907 EXPED 25 25.00  
(date)

F. Executed on 12/26/00 (date) by the surviving corporation on behalf of all parties to the merger.

Optek-Nicolet Holdings Inc.

By: *Sandra L. Lambert*  
(Signature)

Sandra L. Lambert  
(Printed Name)

Title: ( ) President (X) Secretary  
or other officer title \_\_\_\_\_

000 DEC 28 PM 1:45  
STATE OF WISCONSIN  
DEPARTMENT OF FINANCIAL INSTITUTIONS

This document was drafted by Janet M. Davenport  
(Name the individual who drafted the document)

DFI/CORP/61 (R9/00) Use of this form is voluntary.

1 of 3

Exhibit A - PLAN OF MERGER

I. Name and state of incorporation of the merging (**non-surviving**) corporation(s):

Name:  Thermo Optek Corporation	State of Incorporation:  Delaware
Name:	State of Incorporation:

II. Name (prior to any amendment in the Plan of Merger to change the name) and state of incorporation of the **surviving** corporation:

Name:  Optek-Nicolet Holdings Inc.	State of Incorporation:  Wisconsin
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III. State the terms and conditions of the merger:

Optek-Nicolet Holdings Inc. owns all of the outstanding shares of stock of Thermo Optek Corporation, which consists of 200 shares of Common Stock, \$.01 par value per share. This merger was approved by the Board of Directors of Optek-Nicolet Holdings Inc. on December 20, 2000 and by the sole stockholder and the Board of Directors of Thermo Optek Corporation on December 20, 2000.

IV. State the manner and basis of converting the shares of each non-surviving corporation:

- (A) into shares, obligations or other securities of the surviving (or any other) corporation; or
- (B) into cash or other property, in whole or part:

At the Effective Time of the Merger all issued and outstanding shares of the capital stock of Thermo Optek Corporation shall automatically and by operation of law be extinguished and cancelled and all certificates evidencing ownership of such shares shall be void and of no effect, and all issued and outstanding shares of capital stock of the Surviving Corporation shall remain issued and outstanding.

V. State any amendments to the surviving **domestic** corporation's articles of incorporation (see items B and C of the instructions):

The name of the Corporation is hereby amended to "Thermo Nicolet Corporation". *OK-AP*

VI. State any other provisions:

INSTRUCTIONS (Ref. sec. 180.1101, 1105 and 180.1107, Wis. Stats. for document content)

Submit one original and one exact copy to Dept. of Financial Institutions, P O Box 7846, Madison WI, 53707-7846, together with a **FILING FEE of \$50.00 or more**, payable to the department. (If sent by Express or Priority U.S. mail, address to 345 W. Washington Ave., 3<sup>rd</sup> Floor, Madison WI, 53703). This document can be made available in alternate formats upon request to qualifying individuals with disabilities. The original must include an original manual signature, per sec. 180.0120(3)(c), Wis. Stats. Upon filing, the information in this document becomes public and might be used for purposes other than that for which it was originally furnished. If you have any questions, please contact the Division of Corporate & Consumer Services at 608-261-7577. Hearing-impaired may call 608-266-8818 for TDY.

ARTICLES OF MERGER – Domestic and Foreign, For-Profit Corporations

Handwritten notes: 50.00, 25.00, 75.00

+ Team One  
CT Corporation System  
101 Federal Street  
Boston, MA 02109

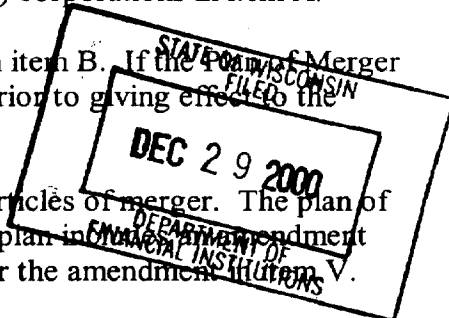
Unlicensed Fgn Corp  
into  
OPTEK-NICOLET HOLDINGS INC. 01 1N06279  
(Survivor)

AMENDS ARTICLES OF SURVIVOR to  
Change Corp Name

+  
➤ Your name, return address and phone number during the day: ( 617 ) 757 - 6401

INSTRUCTIONS (Continued)

- A. Enter the name and state of incorporation of the merging (non-surviving) corporations in item A.
- B. Enter the name and state of incorporation of the surviving corporation in item B. If the Plan of Merger includes an amendment changing the name of the survivor, state the name prior to giving effect to the amendment.
- C. **PLAN OF MERGER:** Supply the **Plan of Merger** as Exhibit A to the articles of merger. The plan of merger must contain all the information asked for in items I thru IV. If the plan includes an amendment to the articles of incorporation of the surviving domestic corporation's, enter the amendment in item V.
- D. In item D, indicate the statutory provision under which the Plan of Merger was approved with respect to the domestic corporation. Sec. 180.1103 generally requires that a merger be approved by the (voting) shareholders and directors of each domestic corporation that is a party to the merger. Sec. 180.1104 refers to parent-subsidiary mergers. Review, select and mark (X) the applicable statutory reference.
- E. The effective date of the merger will be set by the provisions of sec. 180.0123(1), Wis. Stats., unless the articles declare a delayed effective date. Such delayed effective date must be within 90 days after the date the articles are received by the department for filing. There is no provision for declaring an effective date earlier than the date the articles of merger are received by the department for filing.
- F. Enter the date of execution and the name and title of the person signing the document. The document must be signed by one of the following: An **officer** of the corporation (or incorporator if directors have not been elected), or a court-appointed receiver, trustee or fiduciary. A director is **not** empowered to sign.



If the document is executed in Wisconsin, sec. 182.01(3) provides that it shall not be filed unless the name of the person (individual) who drafted it is printed, typewritten or stamped thereon in a legible manner. If the document is not executed in Wisconsin, enter that remark.

**FILING FEE** - Fee is **\$50.00** for each domestic and licensed foreign corporation that is a party to the merger. If the articles of merger include an amendment to increase the authorized shares of the surviving domestic corporation, an additional fee may be due. **Add one cent** for each share the survivor will have authorized after the merger, **less a credit** at the same rate for each share presently authorized by each domestic corporation that is a party to the merger.