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Conveyance Type

Assignment



Security Agreement



License



Change of Name



Merger



Other

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Conveying Party(ies)

Mark if additional names of conveying parties attached

Name (line 1)

Shomiti Systems, Inc.

Name (line 2)

Execution Date
Month Day Year

08272001

Second Party

Name (line 1)

Name (line 2)

Execution Date
Month Day Year**Receiving Party**

Mark if additional names of receiving parties attached

Name (line 1)

Finisar Corporation

Name (line 2)

If document to be recorded
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CA

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PATENT
REEL: 012250 FRAME: 0260

Correspondent Name and Address

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Name Robert R. Sachs

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Pages

Enter the total number of pages of the conveyance document including attachments # 4

Application Number(s) or Patent Number(s)☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

09087379

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)Enter PCT application number
only if a U.S. Application Number
has not been assigned

PCT

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Number of Properties

Enter the total number of properties involved.

#

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$ 40.00

Method of Payment

Enclosed ☒Deposit Account ☐**Deposit Account**

(Enter for payment by deposit account or if additional fees can be charged to the account.)

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Authorization to charge additional fees:

Yes ☒No ☐**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. Charges to deposit account are authorized, as indicated herein.*

Robert R. Sachs

Name of Person Signing

Robert R. Sachs

Signature

10-2-01

Date

State of Delaware
Office of the Secretary of State

PAGE 1

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 OWNERSHIP OF "FINISAR CORPORATION", FILED IN THIS OFFICE ON THE TWENTY-NINTH DAY OF AUGUST, A.D. 2001, AT 2:30 O'CLOCK P.M.



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

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AUTHENTICATION: 1335991

DATE: 09-10-01

PATENT
REEL: 012250 FRAME: 0262

CERTIFICATE OF OWNERSHIP AND MERGER

MERGING

Shomiti Systems, Inc.
(a California corporation)

into

Finisar Corporation
(a Delaware corporation)

(PURSUANT TO SECTION 253 OF THE
DELAWARE GENERAL CORPORATION LAW)

Finisar Corporation, a corporation organized and existing under the laws of the State of Delaware (the "Company"), does hereby certify:

1. The Company is the owner of one hundred percent (100%) of the outstanding shares of each class of capital stock of Shomiti Systems, Inc., a California corporation ("Subsidiary").
2. The Company, by the following resolutions adopted on August 27, 2001 by the Board of Directors of the Company, hereby merges Subsidiary into the Company:

"Short-Form Merger with Shomiti Systems, Inc.

WHEREAS, the Company is the legal and beneficial owner of one hundred percent (100%) of the outstanding shares of each class of stock of Shomiti Systems, Inc., a California corporation (the "Subsidiary").

WHEREAS, it is deemed in the best interests of the Company and its shareholders to consolidate its operations by merging the Subsidiary with and into the Company (the "Merger") and to assume all of the Subsidiary's liabilities and obligations.

WHEREAS, Section 253 of the Delaware General Corporation Law provides that if a parent corporation owns at least ninety percent (90%) of the outstanding shares of each class of stock of another subsidiary corporation, such subsidiary corporation may be merged with and into the parent corporation upon the adoption of an appropriate resolution by the Board of Directors of the parent corporation and the filing of a Certificate of Ownership and Merger with the appropriate Secretary of State offices.

RESOLVED, that the Merger is approved and that the Company shall merge the wholly-owned Subsidiary into the Company and assume all obligations of the Subsidiary pursuant to Section 253 of the Delaware General Corporation Law.

RESOLVED FURTHER, that the Restated Certificate of Incorporation and Bylaws of the Company shall not be amended and shall remain the Restated Certificate of Incorporation and Bylaws of the surviving corporation.

RESOLVED FURTHER, that the officers of the Company, and any of them, are each hereby authorized and directed to execute all documents, agreements and other instruments and to take such actions and perform such acts as they may deem necessary or advisable to carry out and perform the purposes of these resolutions.

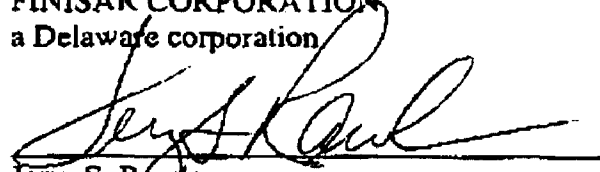
RESOLVED FURTHER, that the Company shall cause to be executed and filed and/or recorded the documents prescribed by the laws of the State of Delaware, by the laws of the State of California, and by the applicable laws of any other jurisdiction and will cause to be performed all necessary acts within Delaware and California and in any other applicable jurisdiction necessary and appropriate to effect the Merger."

This Certificate of Ownership and Merger shall be effective on August 27, 2001.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the Company has caused this Certificate of Ownership and Merger to be signed by its President and Chief Executive Officer on this 27th day of August, 2001.

FINISAR CORPORATION
a Delaware corporation



Jerry S. Rawls
President and Chief Executive Officer