

DATE OF DEPOSIT

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Date of Deposit:

October 22, 2001

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Date: 10-22-01

By: Carrie E. Bickle
Carrie E. Bickle

FORM PTO-1619A
Expires 02/30/99
OMB 0651-0027

04-05-2002

U.S. Department of Commerce
Patent and Trademark Office
PATENT

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RECORDATION FORM COVER SHEET
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NOT 2

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)
Document ID#
- Correction of PTO Error
Reel # Frame #
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Conveyance Type

- Assignment
- License
- Merger
- Security Agreement
- Change of Name
- Other

U.S. Government
For Use ONLY by U.S. Government Agencies
 Departmental File Secret File

Conveying Party(ies)

Mark if additional names of conveying parties attached
Execution Date
Month Day Year

Name (line 1) Optical Mirco-Machines, Inc.

09-14-2000

Name (line 2)

Second Party

Name (line 1)

Execution Date
Month Day Year

Name (line 2)

Receiving Party

Mark if additional names of receiving parties attached

Name (line 1) OMM, Inc.

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Name (line 2) 9410 Carroll Park Drive

Address (line 1)

Address (line 2)

Address (line 3) San Diego California 92121
City State/Country Zip Code

Domestic Representative Name and Address Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

FOR OFFICE USE ONLY

01/14/2002 6TON11 0000418 032117 0948326A

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FORM PTO-1618B
Expires 08/30/99
OMB 0651-0027

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U.S. Department of Commerce
Patent and Trademark Office
PATENT

Correspondent Name and Address Area Code and Telephone Number **(650) 843-5000**

Name **Cooley Godward LLP**

Address (line 1) **Five Palo Alto Square**

Address (line 2) **3000 El Camino Real**

Address (line 3)

Address (line 4) **Palo Alto, California 94306-2155**

Pages Enter total number of pages of the attached conveyance document including any attachments. # **3**

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)

09/483,268	09/483,269	09/483,275			
09/483,276					

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		PCT		PCT	
PCT		PCT		PCT	

Number of Properties Enter the total number of properties involved. # **4**

Fee Amount Fee Amount for Properties Listed (37 CFR 3.41): \$ **115.00**

Method of Payment: Deposit Account

Enclosed Deposit Account

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

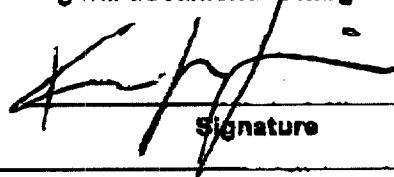
Deposit Account Number: # **03-3117**

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.

Kevin J. Zimmer



October 22, 2001

Name of Person Signing

Signature

Date

CERTIFICATE OF AMENDMENT

OF

**THE AMENDED AND RESTATED
CERTIFICATE OF INCORPORATION**

OF

OPTICAL MICRO-MACHINES, INC.
a Delaware corporation

I, the undersigned duly authorized officer of Optical Micro-Machines, Inc., a corporation organized and existing under the General Corporation Law of the State of Delaware (the "Corporation"), in accordance with the provisions of Section 103 thereof, and pursuant to Section 242 thereof, do hereby certify:

FIRST: That in an action by written consent of the Board of Directors of Optical Micro-Machines, Inc., resolutions were duly adopted setting forth proposed amendments of the Amended and Restated Certificate of Incorporation of the Corporation, declaring said amendments to be advisable and authorizing and directing the officers and directors of the Corporation to solicit the consent of the stockholders of the Corporation for consideration thereof. The resolutions setting forth said amendments are as follows:

RESOLVED: That the Amended and Restated Certificate of Incorporation be amended by changing Paragraph "A" of the Preamble thereof so that, as amended, such paragraph shall be and read in its entirety as follows:

"A. The name of the corporation is OMM, Inc. The corporation was originally incorporated under the name Optical Micro-Machines, Inc., and the original Certificate of Incorporation of the corporation was filed with the Secretary of State of the State of Delaware on February 22, 2000."

FURTHER RESOLVED: That the Amended and Restated Certificate of Incorporation of the Corporation be amended by changing Article "I" thereof so that, as amended, said article shall be and read in its entirety as follows:

"The name of the corporation is OMM, Inc. (the "Corporation")."

SECOND: That thereafter, the necessary number of shares of the Corporation's capital stock as required by Section 228 of the General Corporation Law of Delaware consented by written consent in lieu of a meeting in favor of the amendment.

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THIRD: That said amendment was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

FOURTH: That the capital of said corporation shall not be reduced under or by reason of said amendment.

IN WITNESS WHEREOF, Optical Micro-Machines, Inc., has caused this Certificate of Amendment of the Amended and Restated Certificate of Incorporation to be executed by its President, Hus Tigli, this 31 day of August, 2000.



Hus Tigli
President and Chief Executive Officer

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State of Delaware

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Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "OPTICAL MICRO-MACHINES, INC.", CHANGING ITS NAME FROM "OPTICAL MICRO-MACHINES, INC." TO "OMM, INC.", FILED IN THIS OFFICE ON THE FOURTEENTH DAY OF SEPTEMBER, A.D. 2000, AT 2:30 O'CLOCK P.M.

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



Edward J. Freel

Edward J. Freel, Secretary of State

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AUTHENTICATION: 0675369

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DATE: 09-14-00