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U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

1.21.03

To the Honorable Commissioner of Patents ... original documents or copy thereof.

1. Name of conveying party(ies):

MICRON SEMICONDUCTOR, INC.

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

2. Name and address of receiving party(ies)

Name: MICRON TECHNOLOGY, INC.

Address: 8000 South Federal Way, Boise, ID 83707-0006

Additional Name(s) & address(es) attached? ☐ Yes ☒ No

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below.

Typed or printed name: Deidra J. Pfeil
Signature:
Date: January 15, 2003

3. Nature of conveyance:

☐ Assignment ☒ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: 10/28/94

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)

B. Patent No.(s)
5,291,061
RE 36,613

Additional numbers attached? ☐ Yes ☒ No

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

Name: TraskBritt
Internal Address:
Street Address: P.O. Box 2550
City: Salt Lake City State: UT Zip: 84110

6. Total number of applications and patents involved: 2

7. Total fee (37 CFR 3.41) $80.00

☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number:

20-1469

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

DO NOT USE THIS SPACE

9. Statement and signature.

Attorney Docket No.: 2269-2818US

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.

Brick G. Power
Name of Person Signing
Reg. No. 38,581

Brick G. Power
Signature

1/15/2003
Date

Total number of pages including cover sheet, attachments, and documents: 9

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

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State of Delaware

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 OWNERSHIP, WHICH MERGES:

"MICRON SEMICONDUCTOR, INC.", A IDAHO CORPORATION,

WITH AND INTO "MICRON TECHNOLOGY, INC." UNDER THE NAME OF "MICRON TECHNOLOGY, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTY-FIRST DAY OF OCTOBER, A.D. 1994, AT 9 O'CLOCK A.M.

Edward J. Freel, Secretary of State

AUTHENTICATION:

DATE:

2032425 8100M

7483110

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:00 AM 10/31/1994
944208046 - 2032425

CERTIFICATE OF OWNERSHIP AND MERGER

The undersigned, Steven R. Appleton, and Cathy L. Smith, being the President and Secretary, respectively, of Micron Technology, Inc., a Delaware corporation ("Micron Technology"), hereby certify the following:

1. Micron Semiconductor, Inc., ("Micron Semiconductor") is a corporation duly organized and existing under the laws of the State of Idaho and has an authorized capital of 10,000,000 shares of common Stock, having a par value of $0.10 per share, of which 2,143,446 shares are issued and outstanding. All of the shares of Micron Semiconductor common stock issued and outstanding are held by Micron Technology.

2. On October 27, 1994, the Micron Technology Board of Directors approved by resolution an Agreement and Plan of Merger providing for the merger of Micron Semiconductor with and into Micron Technology in accordance with the terms of Section 253 of the Delaware General Corporation Law. A copy of the resolution and accompanying Agreement and Plan of Merger are attached hereto as Exhibit "A".

3. The executed Agreement and Plan of Merger is on file at the principal place of business of the surviving corporation at 2805 East Columbia Road, Boise, Idaho 83706.

IN WITNESS WHEREOF, we have executed this Certificate on this 28th day of October, 1994 and acknowledge that the facts stated herein are true.

MICRON TECHNOLOGY, INC.,
a Delaware corporation

Steven R. Appleton, Chairman, CEO,
President

ATTEST:

Cathy L. Smith, Secretary

MICRON TECHNOLOGY, INC.
BOARD OF DIRECTORS RESOLUTIONS

Merger of Micron Semiconductor, Inc. into the Company.

RESOLVED, that the Board of Directors hereby approves and authorizes the officers of the corporation to execute an Agreement and Plan of Merger in the form attached hereto as Exhibit "A", providing for the merger of Micron Semiconductor, Inc., a wholly-owned subsidiary of the company ("Micron Semiconductor"), with and into the company, with the company to be the surviving corporation (the "Merger");

RESOLVED FURTHER, the appropriate officers are hereby authorized and directed to take all actions necessary to file with the appropriate authorities of the State of Delaware and the State of Idaho those documents necessary to effectuate the Merger, including filing a Certificate of Ownership and Merger, or copy of this resolution, with the State of Delaware, filing Articles of Merger, together with a copy of the Agreement and Plan of Merger, with the State of Idaho;

RESOLVED FURTHER, that the company hereby waives its right under Section 30-1-75 of the Idaho Business Corporation Act to receive by mail a copy of the Agreement and Plan of Merger;

RESOLVED FURTHER, that upon the effective date of the Merger, the shares of common stock of Micron Semiconductor issued and outstanding and held by the company immediately prior thereto shall, by virtue of the Merger and without any action by any person, be immediately cancelled;

RESOLVED FURTHER, that the officers of the corporation are hereby authorized to take or cause to be taken such actions and to execute and deliver such agreements, certificates, receipts, and other instruments as they may deem necessary or appropriate for the purpose of carrying out the Merger.

EXHIBIT A

AGREEMENT AND PLAN OF MERGER OF MICRON SEMICONDUCTOR, INC., AN IDAHO CORPORATION, AND MICRON TECHNOLOGY, INC., A DELAWARE CORPORATION

THIS AGREEMENT AND PLAN OF MERGER, dated as of October 27, 1994 (the "Agreement"), is between Micron Semiconductor, Inc., an Idaho corporation ("Micron Semiconductor"), and Micron Technology, Inc. a Delaware corporation ("Micron Technology"). Micron Semiconductor and Micron Technology are sometimes referred to herein as the "Constituent Corporations."

RECITALS:

A. Micron Semiconductor is a corporation duly organized and existing under the laws of the State of Idaho and has an authorized capital of 10,000,000 shares of Common Stock, having a par value of $0.10 per share, of which 2,143,446 shares are issued and outstanding and held by Micron Technology.

B. The Boards of Directors of Micron Technology and Micron Semiconductor have determined that it is advisable that Micron Semiconductor merge with and into Micron Technology upon the terms and conditions herein provided.

C. The respective Boards of Directors of Micron Semiconductor and Micron Technology have approved this Agreement.

NOW THEREFORE, in consideration of the mutual agreements and covenants set forth herein, the Constituent Corporations hereby agree, subject to the terms and conditions hereinafter set forth, as follows:

I. MERGER

1.1 Merger. In accordance with the provisions of this Agreement, the Delaware General Corporation Law and the Idaho Business Corporation Act, Micron Semiconductor shall be merged with and into Micron Technology (the "Merger") and Micron Technology shall be, and is herein sometimes referred to as, the "Surviving Corporation."

1.2 Filing and Effectiveness. The Merger shall become effective on November 4, 1994, provided the following actions shall have been completed:

(a) This Agreement and the Merger shall have been adopted and approved by the Board of Directors of each Constituent Corporation in accordance with the requirements of the Delaware General Corporation Law and the Idaho Business Corporation Act;

(b) All of the conditions precedent to the consummation of the Merger specified in this Agreement shall have been satisfied or duly waived by the party entitled to satisfaction thereof;

(c) An executed Certificate of Ownership and merger, or copy of a resolution adopted by the Micron Technology Board of Directors approving this Agreement and the Merger, meeting the requirements of the Delaware General Corporation law shall have been filed with the Secretary of State of the State of Delaware; and

(d) Executed Articles of Merger meeting the requirements of the Idaho Business Corporation Act shall have been filed with the Secretary of State of the State of Idaho and the Secretary of State shall have issued a Certificate of Merger.

The date and time when the Merger shall become effective, as aforesaid, is herein called the "Effective Date of Merger."

1.3 Articles of Incorporation. The Articles of Incorporation of Micron Technology as in effect immediately prior to the Effective Date of Merger shall continue in full force and effect as the Articles of Incorporation of the Surviving Corporation.

1.4 Bylaws. The Bylaws of Micron Technology as in effect immediately prior to the Effective Date of Merger shall continue in full force and effect as the Bylaws of the Surviving Corporation until duly amended in accordance with the provisions thereof and applicable law.

1.5 Directors and Officers. The directors and officers of Micron Technology immediately prior to the Effective Date of Merger shall be the directors and officers of the Surviving Corporation until their successors shall have been elected and qualified or until otherwise provided by law, by the Articles of Incorporation of the Surviving Corporation, or by the Bylaws of the Surviving Corporation. The Board of the Surviving Corporation may appoint such other officers as it so determines.

1.6 Effect of Merger. Upon the Effective Date of Merger, the separate existence of Micron Semiconductor shall cease and Micron Technology, as the Surviving Corporation, (i) shall continue to possess all of its assets, rights, powers and property as constituted immediately prior to the Effective Date of Merger, shall be subject to all actions previously taken by the Micron Semiconductor Board of Directors and shall succeed, without other transfer, to all of the assets, rights, power and property of Micron Semiconductor in the manner of and as more fully set forth in the applicable provisions of the Delaware General Corporation Law and the Idaho Business Corporation Act, and (ii) shall continue to be subject to all of its debts, liabilities and obligations as constituted immediately prior to the Effective Date of Merger and shall succeed, without other transfer, to all of the debts, liabilities and obligations of Micron Semiconductor in the same manner as if Micron Technology had itself incurred such debts, liabilities and obligations, all as more fully provided under the applicable provisions of the Delaware General Corporation Law and the Idaho Business Corporation Act.

II. CANCELLATION OF MICRON SEMICONDUCTOR STOCK

2.1 Micron Semiconductor Common Stock. Upon the Effective Date of Merger, each share of Common Stock, $0.10 par value per share, of Micron Semiconductor issued and outstanding immediately prior thereto shall, by virtue of the Merger and without any action by the holder of such shares or any other person, be canceled and cease to exist.

III. GENERAL

3.1 Covenants of Micron Technology. Micron Technology covenants and agrees that it will, on or before the Effective Date of Merger:

(a) File any and all documents with the tax authority of the State of Idaho necessary to the assumption by Micron Technology of all of the Idaho state tax liabilities of Micron, Semiconductor.

(b) Take such other actions as may be required by the Idaho Business Corporation Act and Delaware General Corporation Law.

3.2 Abandonment. At any time before the Effective Date of Merger, this Agreement may be terminated and the Merger may be abandoned for any reason whatsoever by the Board of Directors of either Micron Technology or Micron Semiconductor or both.

3.3 Amendment. The Boards of Directors of the Constituent Corporations may amend this Agreement at any time prior to the filing of Articles of Merger with the Secretary of State of the State of Idaho.

3.4 Registered Office. The registered office of the Surviving Corporation in the State of Delaware is located at Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801, and The Corporation Trust Company is the registered agent of the Surviving Corporation at such address.

3.5 Agreement. Executed copies of this Agreement will be on file at the principal place of business of the Surviving Corporation of 2805 East Columbia Road, Boise, Idaho 83706.

3.6 Governing Law. This Agreement shall in all respects be construed, interpreted and enforced in accordance with and governed by the laws of the State of Delaware.

3.7 Counterparts. In order to facilitate the filing and recording of this Agreement, the same may be executed in any number of counterparts, each of which shall be deemed to be an original.

IN WITNESS WHEREOF, this Agreement, having first been approved by resolution of the Boards of Directors of Micron Technology and Micron Semiconductor, is hereby executed on behalf of each of such two corporations and attested by their respective officers thereunto duly authorized.

MICRON SEMICONDUCTOR, INC.
an Idaho corporation

Wilbur G. Stover, Jr.
Vice President, Finance; CFO

ATTEST:

Larry L. Grant

Larry L. Grant
Secretary

MICRON TECHNOLOGY, INC.
a Delaware corporation

Steven R. Appleton
Chairman, CEO, President

ATTEST:

Cathy L. Smith

Cathy L. Smith
Secretary