

FORM PTO-1595

(Rev. 6-93)

OMB No. 0651-0011 (exp. 4/94)

RECORDATION FORM COVER SHEET U.S. DEPARTMENT OF COMMERCE  
PATENTS ONLY

Patent and Trademark Office  
2002P00667US + 2002P00670US

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

**Catamaran Communications, Inc.**

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

3. Nature of conveyance:

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

Execution Date: November 27, 2001

2. Name and address of receiving party(ies)

Name: Infineon Technoloiges Catamaran, Inc

Internal Address:

Street Address: 1730 North First Street

City: San Jose State: CA ZIP: 95112

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)

09/771,173

09/771,172

B. Patent No.(s)

additional numbers attached? ☐ Yes ☒ No

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

Name: \_\_\_\_\_

Internal Address:

Infineon Technologies North America Corp.

c/o Siemens Corporation

Intellectual Property Department

Street Address: 170 Wood Avenue South

City: Iselin State: NJ ZIP: 08830

6. Total number of applications and patents involved: two

7. Total Fee (37 CFR 3.41) ..... \$ 80.00

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit Account No.

502912

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.

Erik O. Berger, Esq. Reg. No: 42,315

Name of Person Signing

Signature

Date

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

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PATENT  
REEL: 014444 FRAME: 0539

JAN 25 2002 12:55 FR PWRW &amp; G

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P.002/008

*State of Delaware*  
*Office of the Secretary of State*

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PAGE 1

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE SAID "CATAMARAN COMMUNICATIONS, INC.", FILED A RESTATED CERTIFICATE, CHANGING ITS NAME TO "INFINEON TECHNOLOGIES CATAMARAN, INC.", THE TWENTY-SEVENTH DAY OF NOVEMBER, A.D. 2001, AT 3 O'CLOCK P.M.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

3107948 8320

AUTHENTICATION: 1470425

010604920

DATE: 11-29-01

PATENT

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P.005/008

*State of Delaware*  
*Office of the Secretary of State* PAGE 1

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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 RESTATED CERTIFICATE OF "CATAMARAN COMMUNICATIONS, INC.", CHANGING ITS NAME FROM "CATAMARAN COMMUNICATIONS, INC." TO "INFINEON TECHNOLOGIES CATAMARAN, INC.", FILED IN THIS OFFICE ON THE TWENTY-SEVENTH DAY OF NOVEMBER, A.D. 2001, AT 3 O'CLOCK P.M.

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



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

3107948 8100

AUTHENTICATION: 1470383

010599890

DATE: 11-29-01

PATENT

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STATE OF DELAWARE  
 SECRETARY OF STATE  
 DIVISION OF CORPORATIONS  
 FILED 03:00 PM 11/29/2001  
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02

**AMENDED AND RESTATED CERTIFICATE OF INCORPORATION**  
**OF**  
**CATAMARAN COMMUNICATIONS, INC.**

Pursuant to Sections 242 and 245 of the  
 General Corporation Law of the State of Delaware

THE UNDERSIGNED MANAGING DIRECTOR, an authorized officer of Catamaran Communications, Inc., a corporation organized and existing under the laws of the State of Delaware (the "Corporation"), hereby certifies, pursuant to Sections 242 and 245 of the General Corporation Law of the State of Delaware, as amended (the "DGCL"), as follows:

A. The present name of the Corporation is Catamaran Communications, Inc., which is the name under which the Corporation was originally incorporated; and the date of filing the original Certificate of Incorporation with the Secretary of State of the State of Delaware is October 7, 1999.

B. This Amended and Restated Certificate of Incorporation further amends and restates the Amended and Restated Certificate of Incorporation of the Corporation, as heretofore amended and now in effect.

C. This Amended and Restated Certificate of Incorporation of the Corporation was duly adopted pursuant to Sections 242 and 245 of the General Corporation Law of the State of Delaware.

D. The Amended and Restated Certificate of Incorporation of the Corporation shall hereafter be as follows:

"Amended and Restated Certificate of Incorporation  
 of  
 Infineon Technologies Catamaran, Inc."

FIRST: The name of the corporation is Infineon Technologies Catamaran, Inc. (the "Corporation").

SECOND: The address of the Corporation's registered office in the State of Delaware is 1209 Orange Street, Wilmington, DE 19801, in the county of New Castle. The name of the registered agent at such address is The Corporation Trust Company.

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2123732380 TO 816273001-140850 P.05/21

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P.005/008

THIRD: The purposes to be conducted or promoted are to engage in any lawful act or activity for which corporations may be organized under the DGCL.

FOURTH: The aggregate number of shares of all classes of capital stock that the Corporation shall have authority to issue is 1,000 shares, consisting entirely of Common Stock (the "Common Stock"), par value \$0.01 per share.

FIFTH: In furtherance and not in limitation of the powers conferred by statute, the board of directors of the Corporation (the "Board of Directors") is expressly authorized to make, alter or repeal the by-laws of the Corporation (the "By-laws").

SIXTH: 6.1 To the extent not prohibited by law, the Corporation shall indemnify any person who is or was made, or threatened to be made, a party to any threatened, pending or completed action, suit or proceeding (a "Proceeding"), whether civil, criminal, administrative or investigative, including, without limitation, an action by or in the right of the Corporation to procure a judgment in its favor, by reason of the fact that such person, or a person of whom such person is the legal representative, is or was a director or officer of the Corporation or, at the request of the Corporation, is or was serving as a director or officer of any other corporation or in a capacity with comparable authority or responsibilities for any partnership, joint venture, trust, employee benefit plan or other enterprise (an "Other Entity"), against judgments, fines, penalties, excise taxes, amounts paid in settlement and costs, charges and expenses (including attorneys' fees, disbursements and other charges). Persons who are not directors or officers of the Corporation (or otherwise entitled to indemnification pursuant to the preceding sentence) may be similarly indemnified in respect of service to the Corporation or to an Other Entity at the request of the Corporation to the extent the Board of Directors at any time specifies that such persons are entitled to the benefits of this Section 6.

6.2 The Corporation shall, from time to time, reimburse or advance to any director or officer or other person entitled to indemnification hereunder the funds necessary for payment of expenses, including attorneys' fees and disbursements, incurred in connection with any Proceeding, in advance of the final disposition of such Proceeding; provided, however, that, if required by the DGCL, such expenses incurred by or on behalf of any director or officer or other person may be paid in advance of the final disposition of a Proceeding only upon receipt by the Corporation of an undertaking, by or on behalf of such director or officer (or other person indemnified hereunder), to repay any such amount so advanced if it shall ultimately be determined by final judicial decision from which there is no further right of appeal that such director, officer or other person is not entitled to be indemnified for such expenses.

6.3 The rights to indemnification and reimbursement or advancement of expenses provided by, or granted pursuant to, this Section 6 shall not be deemed exclusive of any other rights to which a person seeking indemnification or reimbursement or advancement of expenses may have or hereafter be entitled under any statute, this Certificate of Incorporation, the By-laws, any agreement, any vote of stockholders or

JAN 25 2002 12:56 FR PWRW &amp; G

2123732380 TO 816273001-140850 P.06/21

NOV-29-2001 (THU) 13:30

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P. 04

disinterested directors or otherwise, both as to action in his or her official capacity and as to action in another capacity while holding such office.

6.4 The rights to indemnification and reimbursement or advancement of expenses provided by, or granted pursuant to, this Section 6 shall continue as to a person who has ceased to be a director or officer (or other person indemnified hereunder) and shall inure to the benefit of the executors, administrators, legalces and distributors of such person.

6.5 The Corporation shall have the power to purchase and maintain insurances on behalf of any person who is or was a director, officer, employee or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, employee or agent of an Other Entity, against any liability asserted against such person and incurred by such person in any such capacity, or arising out of such person's status as such, whether or not the Corporation would have the power to indemnify such person against such liability under the provisions of this Section 6, the By-laws or under Section 145 of the DGCL or any other provision of law.

6.6 The provisions of this Section 6 shall be a contract between the Corporation, on the one hand, and each director and officer who serves in such capacity at any time while this Section 6 is in effect and any other person entitled to indemnification hereunder, on the other hand, pursuant to which the Corporation and each such director, officer or other person intend to be, and shall be, legally bound. No repeal or modification of this Section 6 shall affect any rights or obligations with respect to any state of facts then or theretofore existing or thereafter arising or any Proceeding theretofore or thereafter brought or threatened based in whole or in part upon any such state of facts.

6.7 The rights to indemnification and reimbursement or advancement of expenses provided by, or granted pursuant to, this Section 6 shall be enforceable by any person entitled to such indemnification or reimbursement or advancement of expenses in any court of competent jurisdiction. The burden of proving that such indemnification or reimbursement or advancement of expenses is not appropriate shall be on the Corporation. Neither the failure of the Corporation (including its Board of Directors, its independent legal counsel and its stockholders) to have made a determination prior to the commencement of such action that such indemnification or reimbursement or advancement of expenses is proper in the circumstances nor an actual determination by the Corporation (including its Board of Directors, its independent legal counsel and its stockholders) that such person is not entitled to such indemnification or reimbursement or advancement of expenses shall constitute a defense to the action or create a presumption that such person is not so entitled. Such a person shall also be indemnified for any expenses incurred in connection with successfully establishing his or her right to such indemnification or reimbursement or advancement of expenses, in whole or in part, in any such Proceeding.

6.8 Any director or officer of the Corporation serving in any capacity of (s) another corporation of which a majority of the shares entitled to vote in the election

JAN 25 2002 12:56 FR PWRW &amp; G

2123732380 TO 816273001-140850 P.07/21

NOV-29-2001 (THU) 13:31

P.007/008

of its directors is held, directly or indirectly, by the Corporation or (b) any employee benefit plan of the Corporation or any corporation referred to in clause (a) shall be deemed to be doing so at the request of the Corporation.

6.9 Any person entitled to indemnification or reimbursement or advancement of expenses as a matter of right pursuant to this Section 6 may elect to have the right to indemnification or reimbursement or advancement of expenses interpreted on the basis of the applicable law in effect at the time of the occurrence of the event or events giving rise to the applicable Proceeding, to the extent permitted by law, or on the basis of the applicable law in effect at the time such indemnification or reimbursement or advancement of expenses is sought. Such election shall be made, by a notice in writing to the Corporation, at the time indemnification or reimbursement or advancement of expenses is sought; provided, however, that if no such notice is given, the right to indemnification or reimbursement or advancement of expenses shall be determined by the law in effect at the time indemnification or reimbursement or advancement of expenses is sought.

SEVENTH: Pursuant to Section 211(c) of the DGCL, directors shall not be required to be elected by written ballot.

JAN 25 2002 12:57 FR PWRW &amp; G

2123732380 TO 816273001-140850 P.08/21

NOV-29-2001(THU) 13:31

P.008/008

IN WITNESS WHEREOF, the duly authorized officer has executed this  
Amended and Restated Certificate of Incorporation this 27th day of November, 2001.

CATAMARAN COMMUNICATIONS, INC,

By: Suhodh G. ToptaniName: Suhodh Toptani  
Title: Managing Director

Dated: NY6/033343

5

RECORDED: 03/19/2004

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