# Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	MERGER
EFFECTIVE DATE:	07/11/2005

#### **CONVEYING PARTY DATA**

Name	Execution Date
T-Networks, Inc.	07/11/2005

#### **RECEIVING PARTY DATA**

Name:	Apogee Photonics, Inc.
Street Address:	6580 Snowdrift Road
Internal Address:	Suite 100
City:	Allentown
State/Country:	PENNSYLVANIA
Postal Code:	18106

#### PROPERTY NUMBERS Total: 19

Property Type	Number
Patent Number:	6825964
Patent Number:	6836350
Patent Number:	6987908
Patent Number:	6844212
Patent Number:	6862376
Patent Number:	6844954
Patent Number:	6856441
Patent Number:	6804421
Patent Number:	6835004
Patent Number:	7106774
Patent Number:	7113525
Patent Number:	7016556
Patent Number:	6985644
	PATENT

**PATENT** 

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Patent Number:	6891665
Patent Number:	6967770
Patent Number:	6661556
Application Number:	10713482
Application Number:	10741494
Application Number:	60634755

#### **CORRESPONDENCE DATA**

Fax Number: (650)493-6811

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 650-493-9300

Email: gcennerazzo@wsgr.com

Correspondent Name: Kerry Connell

Address Line 1: 650 Page Mill Road

Address Line 4: Palo Alto, CALIFORNIA 94304

ATTORNEY DOCKET NUMBER:	22357-000
ATTORNEY DOCKET NUMBER:	22357-000

NAME OF SUBMITTER: Kerry Connell

**Total Attachments: 8** 

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# The First State

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 MERGER, WHICH MERGES:

"T-NETWORKS ACQUISITION CORP.", A DELAWARE CORPORATION,

WITH AND INTO "T-NETWORKS, INC." UNDER THE NAME OF

"T-NETWORKS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER

THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS

OFFICE THE TWELFTH DAY OF JULY, A.D. 2005, AT 4:21 O'CLOCK P.M.

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You may verify this certificate online at corp.delaware.gov/authver.shtml

Warnet Smile Hinden

Harriet Smith Windsor, Secretary of State AUTHENTICATION: 6512616

DATE: 04-09-08

PATENT

**REEL: 020808 FRAME: 0327** 

State of Delaware Secretary of State Division of Corporations Delivered 04:21 PM 07/12/2005 FILED 04:21 PM 07/12/2005 SRV 050576315 - 3260811 FILE

#### CERTIFICATE OF MERGER

## T-NETWORKS ACQUISITION CORP. (a Delaware corporation) with and into T-NETWORKS, INC. (a Delaware corporation)

#### (PURSUANT TO SECTION 251 OF THE GENERAL CORPORATION LAW OF THE STATE OF DELAWARE)

The undersigned corporation, T-Networks, Inc., organized and existing under and by virtue of the General Corporation Law of the State of Delaware,

DOES HEREBY CERTIFY:

FIRST: That the name and state of incorporation of each of the constituent corporations of the merger is as follows:

Name

State of Incorporation

T-Networks Acquisition Corp.

Delaware

T-Networks, Inc.

Delaware

SECOND: That an Agreement and Plan of Merger and Reorganization has been approved, adopted, certified, executed and acknowledged by each of the above constituent corporations and their respective stockholders in accordance with the requirements of Sections 228 and 251 of the General Corporation Law of the State of Delaware (the "DGCL").

THIRD: That the name of the surviving corporation of the merger is T-Networks, Inc.

FOURTH: That, upon the merger becoming effective (which shall be such time as this Certificate is filed with the Secretary of State of Delaware), the certificate of incorporation of the surviving corporation will remain the certificate of incorporation and is hereby amended to read as set forth in Exhibit A attached hereto, until thereafter amended as provided by law and such certificate of incorporation.

FIFTH: That the executed Agreement and Plan of Merger and Reorganization is on file at the principal place of business of the surviving corporation. The address of the principal place of business of the surviving corporation is 6580 Snowdrift Road, Suite 100, Allentown, Pennsylvania 18106.

SIXTH: That a copy of the Agreement and Plan of Reorganization will be furnished by the surviving corporation, on request and without cost to any stockholder of any constituent corporation to the merger.

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IN WITNESS WHEREOF, T-Networks, Inc. has caused this Certificate of Merger to be signed by Aaron Fisher, its Chief Executive Officer, on behalf of said surviving corporation this 11<sup>th</sup> day of July, 2005. The undersigned hereby affirms, under penalty of perjury, that this Certificate of Merger is the act and deed of T-Networks, Inc. as the surviving corporation and that the facts stated herein are true.

T-NETWORKS, INC., a Delaware corporation

By: /s/ Aaron Fisher

Name: Aaron Fisher

Title: Chief Executive Officer

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#### Exhibit A

## FOURTH AMENDED AND RESTATED CERTIFICATE OF INCORPORATION

OF

T-NETWORKS, INC..

J.

The name of this corporation is T-Networks, Inc.

II.

The address of the registered office of the corporation in the State of Delaware is 615 South DuPont Highway, in the City of Dover, County of Kent, Delaware 19901. The name of its registered agent at such address is National Corporate Research, Ltd.

III.

The purpose of the corporation is to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of the State of Delaware.

IV.

The total number of shares of stock which the corporation shall have authority to issue is: one hundred (100) and the par value of each of such shares is: 0.0001 Dollar (\$0.0001).

V.

In furtherance and not in limitation of the powers conferred by statute, the Board of Directors is expressly authorized to make, repeal, alter, amend and rescind any or all of the Bylaws of the corporation.

VI.

The number of directors of the corporation shall be fixed from time to time by a bylaw or amendment thereof duly adopted by the Board of Directors or by the stockholders.

VII.

The election of directors need not be by written ballot unless the Bylaws of the corporation shall so provide.

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VIII.

Meetings of stockholders may be held within or without the State of Delaware, as the Bylaws may provide. The books of the corporation may be kept (subject to any provision contained in the statutes) outside the State of Delaware at such place or places as may be designated from time to time by the Board of Directors or in the Bylaws of the corporation.

IX.

The corporation shall, to the fullest extent permitted by Section 145 of the General Corporation Law of Delaware, as the same exists or as may hereafter be amended and supplemented from time to time, indemnify any and all directors and officers whom it shall have the power to indemnify under said Section 145 from and against any and all of the expenses, liabilities, or other matters referred to or covered by said Section, and the indemnification provided for herein shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any bylaw, agreement, vote of stockholders or disinterested directors or otherwise, both as to action in their official capacities and as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be a director or officer, and shall inure to the benefit of the heirs, executors, and administrators of such a person. To the fullest extent permitted by Delaware law, as it may be amended and supplemented from time to time, a director of the corporation shall not be liable to the corporation or its stockholders for monetary damages for breach of fiduciary duty as a director.

X.

The corporation reserves the right at any time, and from time to time, to amend, alter, change or repeal any provision contained in this Certificate of Incorporation, and other provisions authorized by the laws of the State of Delaware at the time in force may be added or inserted, in the manner now or hereafter prescribed by law; and all rights, preferences and privileges of whatsoever nature conferred upon stockholders, directors or any other persons whomsoever by and pursuant to this Certificate of Incorporation in its present form or as hereafter amended are granted subject to the rights reserved in this article.

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PAGE 1

# The First State

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 "T-NETWORKS, INC.", FILED IN THIS OFFICE ON THE FIFTEENTH DAY OF MARCH, A.D. 2006, AT 6:55 O'CLOCK P.M.

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You may verify this certificate online at corp.delaware.gov/authver.shtml

Warriet Smith Windson

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 6512465

DATE: 04-09-08

PATENT

REEL: 020808 FRAME: 0332

State of Delaware Secretary of State Division of Corporations Delivered 06:55 PM 03/15/2006 FILED 06:55 PM 03/15/2006 SRV 060252635 - 3214047 FILE

### STATE OF DELAWARE CERTIFICATE OF OWNERSHIP

#### SUBSIDIARY INTO PARENT Section 253

# CERTIFICATE OF OWNERSHIP MERGING T-NETWORKS, INC. INTO APOGEE PHOTONICS, INC.

(Pursuant to Section 253 of the General Corporation Law of Delaware)

Apogee Photonics, Inc., a corporation incorporated on the 18th day of April, 2000, pursuant to the provisions of the General Corporation Law of the State of Delaware;

DOES HEREBY CERTIFY that this corporation owns 100% of the capital stock of T-Networks, Inc., a corporation incorporated on the 17th day of July, 2000, pursuant to the provisions of the General Corporation Law of the State of Delaware, and that this corporation, by a resolution of its Board of Directors duly adopted as of February 24, 2006 determined to and did merge into itself said T-Networks, Inc., which resolution is in the following words to wit:

WHEREAS this corporation lawfully owns 100% of the outstanding stock of T-Networks, Inc., a corporation organized and existing under the laws of the State of Delaware; and

WHEREAS this corporation desires to merge into itself the said T-Networks, Inc., and to be possessed of all the estate, property, rights, privileges and franchises of said corporation.

NOW, THEREFORE, BE IT RESOLVED, that this corporation merge into itself said T-Networks, Inc. and assumes all of its liabilities and obligations, and

FURTHER RESOLVED, that an authorized officer of this corporation be and he is hereby directed to make and execute a certificate of ownership setting forth a copy of the resolution to merge said T-Networks, Inc. and assume its liabilities and obligations, and the date of adoption thereof, and to file the same in the office of the Secretary of State of Delaware; and

FURTHER RESOLVED, that the officers of this corporation be and they hereby are authorized and directed to do all acts and things whatsoever, whether within or without the State of Delaware; which may be in any way necessary or proper to effect said merger.

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IN WITNESS WHEREOF, said Apogee Photonics, Inc. has caused this certificate to be signed by Michael Decelle, an authorized officer, this 15 day of March, 2006.

Chief Executive Officer

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**RECORDED: 04/16/2008** 

**PATENT**