

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark OfficeRECORDATION FORM COVER SHEET
PATENTS ONLYAtty. Docket No.: **Poly-76-2**


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

1. Name of conveying party(ies): <u>Polytechnic University</u> Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 3. Nature of conveyance: <input type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input checked="" type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>June 24, 2008</u>	2. Name and address of receiving party(ies): Name: <u>Polytechnic Institute of New York University</u> Street Address: <u>6 Metrotech Center</u> City: <u>Brooklyn</u> State: <u>NY</u> ZIP: <u>11201</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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) <u>11/786,416</u> B. Patent No.(s) _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
---	--

5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>John C. Pokotylo, Esq.</u> <u>STRAUB & POKOTYLO</u> <u>Customer No. 26479</u> Internal Address: _____ Street Address: <u>788 Shrewsbury Ave.</u> City: <u>Tinton Falls</u> State: <u>NJ</u> ZIP: <u>07724</u>	6. Total number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR 3.41).....\$ <u>40.00</u> <input type="checkbox"/> Enclosed (included with Filing Fees) <input checked="" type="checkbox"/> Any fees required are authorized to be charged to the deposit account listed below. 8. Deposit account number: <u>50-1049</u> (Attach duplicate copy of this page if paying by deposit account)
---	--

DO NOT USE THIS SPACE

9. Statement and signature <i>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</i>		
<u>John C. Pokotylo</u> Name of Person Signing	 Signature	<u>December 10, 2009</u> Date
Total number of pages comprising cover sheet plus assignment: <u>3</u>		

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

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
Mail Stop Patent Application/Missing Parts
P.O. Box 1450
Alexandria, VA 22313-1450

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time to reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

CH \$40.00 501049 11786416



POLYTECHNIC INSTITUTE OF NEW YORK UNIVERSITY

AMENDMENT OF CHARTER

This Instrument Witnesseth That the Board of Regents for and on behalf of the Education Department of the State of New York at their meeting of June 24, 2008,

An application having been made by and on behalf of the trustees of the Polytechnic University for an amendment and restatement of its charter, it was

Voted, that the provisional charter of the Polytechnic University, located in the city, county and state of New York, which was incorporated by action of the Board of Regents under the corporate name "Polytechnic Institute of Brooklyn" on July 10, 1889; which provisional charter was made absolute by Regents action on January 30, 1890 and amended by Regents action on January 16, 1930, March 17, 1939, December 16, 1960, September 21, 1973 to change the corporate name to "Polytechnic Institute of New York," December 14, 1973, January 22, 1975, May 23, 1975, December 16, 1977 and October 18, 1985 to change the corporate name to "Polytechnic University" be, and the same hereby is, amended and restated in its entirety to read as follows:

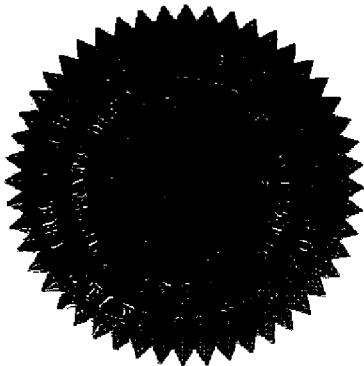
1. The name of the corporation is "Polytechnic Institute of New York University".
2. The purposes of the corporation are to, inter alia, offer graduate and undergraduate programs and award appropriate degrees in engineering, science, technology management and related disciplines, and to produce and support leaders in technology and engineering by striving to provide excellence in research and education in engineering, computing, science and related fields.
3. The corporation is authorized to operate branched and to award degrees in the following counties located within the State of New York: Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, and Westchester.
4. The corporation shall have one member, which shall be New York University. Pursuant to the By-laws of the corporation, the member of the corporation shall, among other things, elect the board of trustees of the corporation, appoint the Chief Executive Officer of the corporation after consultation with the Board of Trustees, and be required to consent to any amendment, changes or repeal of the By-laws, the charter or any other governing document of the corporation that is proposed by the board of trustees.
5. The number of trustees for the corporation is to be not more than forty-five nor less than five. Trustees of the corporation are: Ralph Alexander, Walter Bell, Daniel H. Berry, Israel Borovich, Glen A. Britt, Aviva D. Budd, Michael R. Corey, Gerald W. Dawes, Deborah L. Devedjian, Ruth A. Fattori, Richard Fishbein, Randy W. Frey, William L. Friend, Patrick A. Garzillo, Leilia Heckman, Charles Hinkaty, Paul Horn, Jerry M. Hultin, Linda k. Jacobs, Michael Kappaz, Lawrence Katz, John R. Kirksey, Jeffrey H. Lynford, Craig G. Matthews, Stewart G. Nagler, Michael J. O'Brien, Leonard M. Pomata, Robert Prieto, Steven M. Rittvo, Mark H. Ronald, John P. Schaefer, David M. Schweiger, Leonard Shustek, James M. Smith, Herman Viets, Donald N. Weisstuch.

Trustees shall be elected by the member as set forth in the corporation's by-laws, provided that for the period of ten years following the effective date of this amended and restated charter, the member shall elect at least one voting member to the board of trustees, provided such individual is willing and able to serve, from among the following three individuals: Ralph Alexander, Aviva Budd or David Schweiger.

6. The corporation is a nonstock corporation organized and operated exclusively for educational purposes, and no part of the earnings or net income of the corporation shall

Polytechnic Institute of New York University
Page two

- inure to the benefit of any individual; and no officer, member or employee of the corporation shall receive or be entitled to receive any pecuniary profit from the operations thereof, except reasonable compensation for services.
7. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law).
 8. No substantial part of the activities of the corporation shall be devoted to carrying on propaganda, or otherwise attempting to influence legislation (except to the extent authorized by Internal Revenue Code section 501[h] as amended, or the corresponding provision of any future United States Internal Revenue Law, during any fiscal year or years in which the corporation has chosen to utilize the benefits authorized by the statutory provision), and the corporation shall not participate in or intervene (including the publishing or distribution of statements) in any political campaign on behalf of any candidate for public office.
 9. Upon dissolution of the corporation, the board of directors shall dispose of the remaining assets of the Corporation exclusively for one or more exempt purposes, within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future Federal tax code), or shall distribute the same to the Federal government, or to a state or local government, for public purpose. Any such assets not so disposed of shall be disposed of by order of the Supreme Court of the State of New York in the judicial district where the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, organized and operated exclusively for such purposes, as said Court shall determine.
 10. The principal office of the corporation is located at Six Metro Tech Center, Brooklyn, New York 11201. The corporation shall continue to operate its main campus at this address.
 11. The Commissioner of Education is designated as the representative of the corporation upon whom process in any action or proceeding against it may be served.
 12. The amendment herein shall take effect on July 1, 2008.



Granted, June 24, 2008, by the Board of Regents of The University of the State of New York, for and on behalf of the State Education Department, and executed under the seal of said University and recorded as Number 24,593.

Don Banner
 Chancellor

Richard P. Mills
 President of the University and
 Commissioner of Education