

# PATENT ASSIGNMENT

Electronic Version v1.1

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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
<b>CONVEYING PARTY DATA</b>	
Name	Execution Date
Donald R. Korb	05/12/2006
Timothy R. Willis	05/11/2006
Benjamin T. Gravely	05/11/2006
<b>RECEIVING PARTY DATA</b>	
Name:	TearScience, Inc.
Street Address:	1101 G Aviation Parkway
City:	Morrisville
State/Country:	NORTH CAROLINA
Postal Code:	27560
<b>PROPERTY NUMBERS Total: 1</b>	
Property Type	Number
Application Number:	12821183
<b>CORRESPONDENCE DATA</b>	
Fax Number:	(919)238-2301
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	919-238-2300
Email:	kfarrow@withrowterranova.com
Correspondent Name:	WITHROW & TERRANOVA, P.L.L.C.
Address Line 1:	100 REGENCY FOREST DRIVE
Address Line 2:	SUITE 160
Address Line 4:	CARY, NORTH CAROLINA 27518
ATTORNEY DOCKET NUMBER:	1158-005A
NAME OF SUBMITTER:	Steven N. Terranova
Total Attachments: 7	
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**PATENT**  
**REEL: 024578 FRAME: 0254**

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## ASSIGNMENT

THIS ASSIGNMENT, made by us, Donald R. Korb of 10 Brimmer Street, Boston, MA 02108, a citizen of the United States of America, Timothy R. Willis of 1004 Denfield Court, Raleigh, NC 27615, a citizen of the United States of America, and Benjamin T. Gravely of 7001 Buckhead Drive, Raleigh, NC 27615, a citizen of the United States of America, a citizen of the United States of America;

WITNESSETH: That,

WHEREAS, we are the inventors of certain new and useful improvements in a Method and Apparatus for Treating Meibomian Gland Dysfunction for which an application for United States Letters Patent with the same title has been executed by us, and which was filed in the United States Patent and Trademark Office on MAY 15, 2006 and which was assigned serial number 11/434,054; and

WHEREAS, Kolis Scientific, Inc., located at 1101G Aviation Parkway, Morrisville, NC 27560, hereinafter referred to as assignee, is desirous of acquiring the entire right, title and interest in and to said invention as described in said application, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

NOW, THEREFORE, To All Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer and convey unto the said assignee, its successors and assigns, the entire right, title

continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues thereof which may be granted therefore or thereon, for the full end of the term for which said Letters Patent may be granted, together with the right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

We hereby request that said Letters Patent be issued in accordance with this assignment.

We further covenant and agree that, at the time of the execution and delivery of these presents, we possess full title to the invention and application above-mentioned, and that we have the unencumbered right and authority to make this assignment.

We further covenant and agree and bind our heirs, legal representatives and assigns, promptly to communicate to said assignee or its representatives any facts known to us relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignee, its representatives, successors or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignee, its successors, assigns and other legal representatives.

IN WITNESS WHEREOF, we have hereunto set our hands and seals  
this 11<sup>th</sup> day of MAY, 2006.

\_\_\_\_\_  
Donald R. Korb (SEAL)

\_\_\_\_\_  
Timothy R. Willis (SEAL)

\_\_\_\_\_  
Benjamin T. Gravely (SEAL)

STATE OF MASSACHUSETTS )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

Before me personally appeared Donald R. Korb, to me known to be the person  
described in and who executed the foregoing instrument; and he acknowledged to me that he executed  
the same for the purposes therein stated, this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

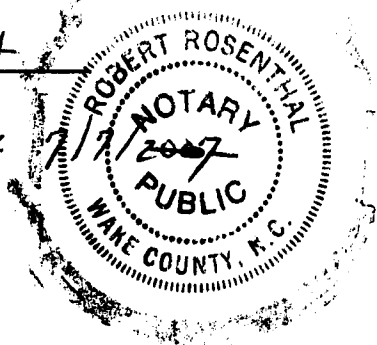
\_\_\_\_\_  
Notary Public  
SEAL

My Commission Expires: \_\_\_\_\_

STATE OF NORTH CAROLINA )  
 ) ss:  
COUNTY OF WAKE )

Before me personally appeared Timothy R. Willis and Benjamin T. Gravely, to me  
known to be the persons described in and who executed the foregoing instrument; and each  
acknowledged to me that he executed the same for the purposes therein stated, this 11 day  
of MAY 2006, 2006.

\_\_\_\_\_  
Notary Public  
ROBERT ROSENTHAL  
MY COMMISSION EXP:  
SEALASSIGNKOLIS05



IN WITNESS WHEREOF, we have hereunto set our hands and seals

this 12th day of May, 2006.

Donald R. Korb (SEAL)  
Donald R. Korb

Timothy R. Willis (SEAL)  
Timothy R. Willis

Benjamin T. Gravely (SEAL)  
Benjamin T. Gravely

STATE OF MASSACHUSETTS )  
COUNTY OF Suffolk ) ss:

Before me personally appeared Donald R. Korb, to me known to be the person described in and who executed the foregoing instrument; and he acknowledged to me that he executed the same for the purposes therein stated, this 12th day of May, 2006.

Hui Zhong Yu  
Notary Public  
SEAL

My Commission Expires: 02/06/10  
HUI ZHONG YU, NOTARY PUBLIC  
COMMONWEALTH OF MASSACHUSETTS  
MY COMMISSION EXPIRES 02/06/10

STATE OF NORTH CAROLINA )  
COUNTY OF WAKE ) ss:

Before me personally appeared Timothy R. Willis and Benjamin T. Gravely, to me known to be the persons described in and who executed the foregoing instrument; and each acknowledged to me that he executed the same for the purposes therein stated, this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Notary Public

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# Delaware

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 AMENDMENT OF "KOLIS SCIENTIFIC, INC.", CHANGING ITS NAME FROM "KOLIS SCIENTIFIC, INC." TO "TEARSCIENCE, INC.", FILED IN THIS OFFICE ON THE TWENTY-THIRD DAY OF DECEMBER, A.D. 2008, AT 10:24 O'CLOCK A.M.

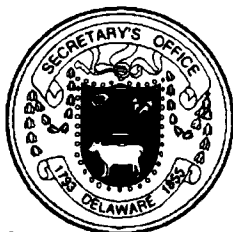
A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF AMENDMENT IS THE FIRST DAY OF JANUARY, A.D. 2009.

3984622 8100

081223152

You may verify this certificate online  
at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 7048473

DATE: 12-24-08

PATENT  
REEL: 024578 FRAME: 0260

**CERTIFICATE OF AMENDMENT**  
**OF THE**  
**RESTATED CERTIFICATE OF INCORPORATION**  
**OF**  
**KOLIS SCIENTIFIC, INC.,**  
**a Delaware corporation**

Kolis Scientific, Inc. (the "Corporation"), a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "General Corporation Law").

**DOES HEREBY CERTIFY:**

**FIRST:** The name of the Corporation is Kolis Scientific, Inc.

**SECOND:** The date on which the Certificate of Incorporation of the Corporation was originally filed with the Secretary of State of the State of Delaware was June 21, 2005, under the name Kolis Scientific, Inc.

**THIRD:** That the Board of Directors of the Corporation adopted resolutions setting forth a proposed amendment to the Restated Certificate of Incorporation of the Corporation, declaring said amendment to be advisable and in the best interests of the Corporation and its stockholders and authorizing the appropriate officers of the Corporation to solicit the consent of the stockholders therefor, which resolution setting forth the proposed amendment is substantially as follows:

"RESOLVED, that Article I of the Restated Certificate of Incorporation of the Corporation be amended to read in its entirety as follows:

The name of this corporation is TearScience, Inc."

**FOURTH:** That thereafter said amendment was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law by written consent of the stockholders holding the requisite number of shares required by statute given in accordance with and pursuant to Section 228 of the General Corporation Law of the State of Delaware.

**FIFTH:** That said amendment shall be effective January 1, 2009.



IN WITNESS WHEREOF, the Corporation has caused this Certificate of Amendment of the Restated Certificate of Incorporation to be signed by a duly authorized officer of the Corporation this 23<sup>rd</sup> day of December, 2008.

/s/ Timothy R. Willis

Timothy R. Willis

President and Chief Executive Officer

GDSVF&H923010.1

RECORDED: 06/23/2010

PATENT  
REEL: 024578 FRAME: 0262