

Form PTO-1595 (Rev. 03-11)
OMB No. 0651-0027 (exp. 03/31/2012)

09/26/2011

DEPARTMENT OF COMMERCE
Patent and Trademark Office

**RECORDATION
STATE**



103633416

To the Director of the U.S. Patent and Trademark Office: Please record the attached document and address(es) below.

1. Name of conveying party(ies)

Carl Zeiss Surgical GmbH

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

3. Nature of conveyance/Execution Date(s):

Execution Date(s) 01 June 2011

- ☐ Assignment ☒ Merger
☐ Security Agreement ☐ Change of Name
☐ Joint Research Agreement
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other _____

2. Name and address of receiving party(ies)

Name: Carl Zeiss Meditec AG

Internal Address: _____

Street Address: Goeschwtitzer Strasse 51-52

City: 07745 Jena

State: _____

Country: Germany

Zip: _____

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

4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

B. Patent No.(s)

29/347,836

Additional numbers attached? ☐ Yes ☒ No

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

Name: Walter Ottesen, Patent Attorney

Internal Address: _____

Street Address: P.O. Box 4026

City: Gaithersburg

State: Maryland Zip: 20885-4026

Phone Number: (301) 869-8950

Fax Number: (301) 869-8929

Email Address: wopat@aol.com

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 1.21(h) & 3.41) \$40.00

- ☐ Authorized to be charged to deposit account
☒ Enclosed
☐ None required (government interest not affecting title)

8. Payment Information

Deposit Account Number _____

Authorized User Name _____

9. Signature:

Christian Ottesen

Signature

9/21/2011

Date

Christian Ottesen
Name of Person Signing

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

8

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09/23/2011 LNUYEN1 00000015 29347836

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40.00 DP

**PATENT
REEL: 027083 FRAME: 0220**



Verification of Translation

I, the below named translator, hereby declare that: my name and post office address are as stated below; that I am knowledgeable in the English language and in the German language of the attached "Trade Register Department B of Jena District Court" and I believe the attached English translation to be a true and complete translation of this document.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine of imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of the translator: Christine K. Haselwarter

Date: September 20, 2011

Signature of the translator: Ch. Haselwarter

Post Office Address: Zugspitzstrasse 30
86956 Schongau
Germany



Amtsgericht Jena
[Local Court Jena]

HRB 205623

Official Current Printout
of June 1, 2011, 09:03:59 a.m.

This printout is to testify the contents of the Trade Register.

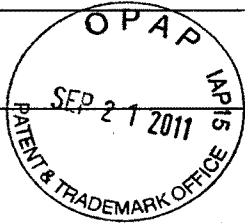
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Jena , June 1, 2011



[Thuringia - 998 -
Local Court Jena]

Müller
Court clerk

Trade Register B of Local Court Jena	Department B Reproduction of current register contents Retrieval as of June 1, 2011 09:03 am	No. of company: HRB 205623
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1. No. of current entries:

16

2. a) Company:

Carl Zeiss Meditec AG

b) Registered office, place of business, domestic business address, person authorized to take delivery, branch offices

Jena

Business address: Göschwitzer Straße 51-52. 07745 Jena

c) Object of company:

Development, manufacture, and distribution of products and systems as well as the provision of services for the diagnostics and therapy in the field of medical technology.

3. Capital stock or nominal capital:

81,309,610.00 EUR

4. a) General rule on representation;

If only one member of the board of management is appointed, he or she shall represent the company acting alone. If several members of the board of management are appointed, the company shall be represented by two members of the board of management or by one member of the board of management in conjunction with a *Prokurist* [person vested with general commercial power of attorney].

b) Management board, executive body, managing directors, personally liable partners, chief executive officers, authorized representatives, and special power of representation:

Management board: Dr. Monz, Ludwin, Mainz, *October 20, 1963

Management board: Dr. Müller, Christian, Langenau, *August 3, 1967

Management board: Simmerer, Thomas, Kelkheim, *October 19, 1962

5. Prokura [general commercial power of attorney]

Collective *Prokura* in conjunction with a board member or another *Prokurist*:

Dr. Damm, Tobias, Munich, *August 25, 1955

Hartwig, Falk, Munich, *May 25, 1964

Dr. Kuschnereit, Ralf, Sunnyvale / USA, *October 8, 1968

Dr. Paul, Jörg-Markus, Berlin, *August 2, 1967

Roeper, Jörg, Jena, *March 15, 1962

Speicher, Andreas, Ditzingen, *November 6, 1969

Dr. Wiechmann, Martin, Jena, *December 4, 1960

6. a) Legal form, beginning, articles of incorporation or articles of association:

Stock corporation

Articles of incorporation of November 10, 1999

Last amended by decision of April 12, 2011

b) Other legal relationships;

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By decision of the stockholders meeting of November 10, 1999 the company was changed from a *Gesellschaft mit beschränkter Haftung* [limited liability corporation] into a stock corporation.

Carl Zeiss Surgical GmbH with registered office in Oberkochen (Local Court Ulm HRB 501602),

Carl Zeiss Meditec Systems GmbH with registered office in Jena (Local Court Jena HRB 501044),

*Acri. Tec GmbH with registered office in Hennigsdorf (Local Court Neuruppin HRB 8149 NP) and

Carl Zeiss Medical Software GmbH with registered office in Munich (Local Court Munich HRB 158857) were merged with the company on the basis of the merger agreements of April 13, 2011 and the decisions of the stockholders meetings of the transferring companies of April 13, 2011.

By the articles of incorporation of April 12, 2011 the management board is authorized to increase the capital stock with the consent of the supervisory board up until April 11, 2016 against contribution in cash and/or kind once or several times by a total of up to 39,854,800.00 EUR, whereby the stockholders' preemptive rights can be excluded (authorized capital 2011/I).

7. a) Date of the last entry:

June 1, 2011



Amtsgericht Jena

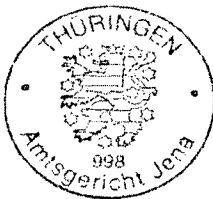
HRB 205623

**Amtlicher aktueller Ausdruck
vom 01. Juni 2011 09:03:59**

Der Ausdruck bezeugt den Inhalt des Handelsregisters.

Dieser Ausdruck wird nicht unterschrieben und gilt als beglaubigte Abschrift.

Jena, den 01. Juni 2011



Müller
Justizangestellte

Handelsregister B des Amtsgerichts Jena	Abteilung B Wiedergabe des aktuellen Registerinhalts Abruf vom 01.06.2011 09:03	Nummer der Firma: HRB 205623
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1. Anzahl der bisherigen Eintragungen:

16

2. a) Firma:

Carl Zeiss Meditec AG

b) Sitz, Niederlassung, inländische Geschäftsanschrift, empfangsberechtigte Person, Zweigniederlassungen:

Jena

Geschäftsanschrift: Göschwitzer Straße 51-52, 07745 Jena

c) Gegenstand des Unternehmens:

die Entwicklung, die Herstellung und der Vertrieb von Produkten und Systemen sowie die Erbringung von Dienstleistungen für die Diagnostik und Therapie auf dem Gebiet der Medizintechnik

3. Grund- oder Stammkapital:

81.309.610,00 EUR

4. a) Allgemeine Vertretungsregelung:

Ist nur ein Vorstandsmitglied bestellt, so vertritt es die Gesellschaft allein. Sind mehrere Vorstandsmitglieder bestellt, so wird die Gesellschaft durch zwei Vorstandsmitglieder oder durch ein Vorstandsmitglied gemeinsam mit einem Prokuristen vertreten.

b) Vorstand, Leitungsorgan, geschäftsführende Direktoren, persönlich haftende Gesellschafter, Geschäftsführer, Vertretungsberechtigte und besondere Vertretungsbefugnis:

Vorstand: Dr. Monz, Ludwin, Mainz, *20.10.1963

Vorstand: Dr. Müller, Christian, Langenau, *03.08.1967

Vorstand: Simmerer, Thomas, Kelkheim, *19.10.1962

5. Prokura:

Gesamtprokura gemeinsam mit einem Vorstandsmitglied oder einem anderen Prokuristen:

Dr. Damm, Tobias, München, *25.08.1955

Hartwig, Falk, München, *25.05.1964

Dr. Kuschnereit, Ralf, Sunnyvale / USA, *08.10.1963

Dr. Paul, Jörg-Markus, Berlin, *02.08.1967

Roeper, Jörg, Jena, *15.03.1962

Speicher, Andreas, Ditzingen, *06.11.1969

Dr. Wiechmann, Martin, Jena, *04.12.1960

6. a) Rechtsform, Beginn, Satzung oder Gesellschaftsvertrag:

Aktiengesellschaft

Satzung vom 10.11.1999

Zuletzt geändert durch Beschluss vom 12.04.2011

b) Sonstige Rechtsverhältnisse:

Handelsregister B des Amtsgerichts Jena	Abteilung B Wiedergabe des aktuellen Registerinhalts Abruf vom 01.06.2011 09:03	Nummer der Firma: HRB 205623
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Durch Beschluß der Gesellschafterversammlung vom 10. November 1999 ist die Gesellschaft von einer Gesellschaft mit beschränkter Haftung in eine Aktiengesellschaft umgewandelt worden.

Die Carl Zeiss Surgical GmbH mit dem Sitz in Oberkochen (Amtsgericht Ulm HRB 501602),

die Carl Zeiss Meditec Systems GmbH mit dem Sitz in Jena (Amtsgericht Jena HRB 501044),

die Acri Tec GmbH mit dem Sitz in Hennigsdorf (Amtsgericht Neuruppin HRB 8149 NP) und

die Carl Zeiss Medical Software GmbH mit dem Sitz in München (Amtsgericht München HRB 158857) sind aufgrund der Verschmelzungsverträge vom 13.04.2011 und der Beschlüsse der Gesellschafterversammlungen der übertragenden Gesellschaften vom 13.04.2011 mit der Gesellschaft verschmolzen.

Der Vorstand ist durch Satzung vom 12.04.2011 ermächtigt, das Grundkapital mit Zustimmung des Aufsichtsrates bis zum 11.04.2016 gegen Bar- und/oder Sacheinlage einmal oder mehrmals um insgesamt bis zu 39.654.800,00 EUR zu erhöhen, wobei das Bezugsrecht der Aktionäre ausgeschlossen werden kann (Genehmigtes Kapital 2011/I).

7. a) Tag der letzten Eintragung:

01.06.2011