

01/09/2012

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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To the Director of the U.S. Patent and Trademark Office



103638900

its or the new address(es) below.

1. Name of conveying party(ies)

KSU Institute for Commercialization

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

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

Execution Date(s) October 11, 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: Kansas State University Institute for Commercialization

Internal Address: _____

Street Address: 2005 Research Park Circle

City: Manhattan

State: Kansas

Country: United States of America Zip: 66502

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)

Additional numbers attached? ☒ Yes ☐ No

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

Name: Kansas State University Institute for Commercialization

Internal Address: Attn: Becky Plummer

Street Address: 2005 Research Park Circle

City: Manhattan

State: Kansas Zip: 66502

Phone Number: (785) 532-3900

Fax Number: (785) 532-3909

Email Address: beckyr@ksu.edu

6. Total number of applications and patents involved: 75

7. Total fee (37 CFR 1.21(h) & 3.41) \$3000.00

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

8. Payment Information

Deposit Account Number _____

Authorized User Name CHUO CHEN WANGUYEN1 00000074 5239955

01 FEB 2012

3000.00

9. Signature:

Becky Plummer
Signature

1-5-12

Date

Becky Plummer
Name of Person Signing

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

5

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

Kansas State University Institute for Commercialization
Name change request

Application Number

10524325

Patent Numbers

5239955	5629091
5245153	5638600
5277222	5645881
5288819	5647307
5288884	5648122
5295461	5663124
5298637	5671532
5302450	5691004
5304665	5692462
5313919	5695199
5315970	5696307
5332422	5699758
5339775	5736174
5352375	5766693
5358753	5846289
5362894	5856286
5374446	5858439
5376398	5868799
5387429	5935631
5392692	6010997
5399728	6039998
5399729	6048832
5406917	6103684
5408964	6235335
5430938	6268010
5448979	6365565
5456219	6534551
5464486	6544578
5469777	6669744
5477820	7534276
5482637	7670586
5484662	
5490445	
5512313	
5516544	
5542382	
5554020	
5566450	
5566549	
5571935	
5598763	
5610128	
5623894	

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2011 AMENDED AND RESTATED NOT FOR PROFIT
ARTICLES OF INCORPORATION
OF
THE NATIONAL INSTITUTE FOR STRATEGIC TECHNOLOGY ACQUISITION
AND COMMERCIALIZATION

The undersigned corporation (hereinafter called the "Corporation") which was originally incorporated under the name Mid-America Commercialization Corporation on April 22, 1994, which is organized and existing under the laws of Kansas, certifies that the following Amended and Restated Articles of Incorporation have been adopted by the Board of Directors in accordance with the provision of KSA 17-6605.

ARTICLE I

The name of the corporation is "Kansas State University Institute For Commercialization".

ARTICLE II

The location of its registered office in this state is the 2005 Research Park Circle, Manhattan, Riley County, Kansas 66502. The resident agent at this address is Kenton L. Glasscock.

ARTICLE III

The Corporation is organized as a not for profit corporation exclusively for educational and scientific purposes as authorized under Section 501(c)(3) of the United States Internal Revenue Code. The Corporation will support technology advancement, technology transfer, education and scientific research.

To meet its purpose, the Corporation is to have and exercise all the powers conferred by the laws of the State of Kansas upon corporations formed under the laws pursuant to and under which this corporation is formed, as such laws are now in effect or may at any time hereafter be amended.

No part of the net earnings of the Corporation shall inure to the benefit of or be distributable to its members, board, officers or other persons; provided, however, that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered to employees and agents and to make payments and distributions in furtherance of the purposes set forth in the first paragraph of Article III above.

No substantial part of the activities of the Corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the Corporation shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. The Corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 or by a corporation, contributions to which are deductible under Section 170 of the Internal Revenue Code of 1986.

ARTICLE IV

The term for which the Corporation is to exist is perpetual.

2011 Amended NISTAC Articles of Incorporation -- Page 1
KCP-4152780-1

Secretary's Initials: *UMA*

ARTICLE V

The Corporation shall be a non-stock membership corporation. The Corporation shall have a single class of voting members consisting of the two (2) voting members identified in Article VI below. The Corporation's By-laws may provide for rights and privileges appertaining to the voting members, and may also create and define additional classes of non-voting members, provided, however, such By-laws may not be inconsistent with any provision of these Articles of Incorporation.

ARTICLE VI

The names and addresses of the Corporation's voting members are as follows:

Name and Address:

Kansas State University
Office of the President
110 Anderson Hall
Manhattan, KS 66506

The State of Kansas, Department of Commerce
Secretary of Commerce
1000 SW Jackson Street, Suite 100
Topeka, KS 66612

Kansas State University shall have 51% of the voting power of all voting members and the State of Kansas Department of Commerce shall have 49% of such voting power.

ARTICLE VII

Upon the dissolution of the Corporation, the Board of Directors shall, after paying or making provision for the payment of all the liabilities of the Corporation, transfer all of the assets of the Corporation to such organization or organizations organized and operated exclusively for charitable, educational, religious, scientific, or any other purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986 as the Board of Directors shall determine, giving preference to organizations with purposes similar to those of this Corporation. Any such assets not so disposed of shall be disposed of by the District Court in the county in which the principal office of the Corporation is located, exclusively for such purposes or to such organization or organizations, as said Court shall determine which are organized and operated exclusively for such purposes.

ARTICLE VIII

The Board of Directors of the Corporation shall consist of no less than five persons and no more than seven persons, to be selected as provided in the By-laws of the Corporation. If one or more vacancies exist on the Board of Directors, any action taken by a quorum of the remaining Directors pursuant to K.S.A. 17-6302(b), as amended, shall be valid and binding upon the Corporation.

Except as otherwise expressly provided by statute, these Articles of Incorporation and the By-laws of the Corporation, all as may be amended from time to time, all powers of management, direction and control of the Corporation, its properties and business affairs are vested in the Board of Directors.

ARTICLE IX

Unless otherwise expressly provided by statute, the Board of Directors is expressly conferred with exclusive authority to make, alter, amend or repeal the By-laws of the Corporation.

ARTICLE X

Appointment to the Board of Directors shall be as specified in the By-laws of the Corporation.

ARTICLE XI

The Corporation may indemnify its Directors, officers, employees, and agents to the fullest extent permitted by law.

ARTICLE XII

No Director of the Corporation shall be personally liable to the Corporation or its members for monetary damages for breach of fiduciary duty by the Director as a Director. Notwithstanding the foregoing sentence, a Director shall be liable to the extent provided by applicable law (i) for any breach of the director's duty of loyalty to the Corporation or its members; (ii) for acts or omissions or a knowing violation of law; (iii) under the provisions of K.S.A. 17-6424 and amendments thereto; or (iv) for any transaction from which the Director derived an improper personal benefit. No amendment to or repeal of this Article shall apply to or have any effect on the liability or alleged liability of any Director of the Corporation for or with respect to any acts or omissions of such director occurring prior to the date when such amendment becomes effective.

ARTICLE XIII

The Corporation reserves the right to amend, alter, change or repeal any provisions contained in these Articles of Incorporation in the manner now or hereafter prescribed by statute, and all rights conferred upon members herein are granted subject to this reservation.

Executed on the 19th day of August, 2011.

Victoria M. Appelbans
Victoria M. Appelbans, Secretary



I hereby certify this to be a true and correct copy of the original on file.
Certified on this date: 08/19/2011
KRIS W. KOBACH
Secretary of State Kris W. Kobach