

## PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1  
 Stylesheet Version v1.2

EPAS ID: PAT2945151

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT	
<b>NATURE OF CONVEYANCE:</b>	MERGER AND CHANGE OF NAME	
<b>EFFECTIVE DATE:</b>	06/01/2011	
<b>CONVEYING PARTY DATA</b>		
	<b>Name</b>	<b>Execution Date</b>
	CARL ZEISS SURGICAL GMBH	06/01/2011
<b>NEWLY MERGED ENTITY DATA</b>		
	<b>Name</b>	<b>Execution Date</b>
	CARL ZEISS MEDITEC AG	06/01/2011
<b>MERGED ENTITY'S NEW NAME (RECEIVING PARTY)</b>		
<b>Name:</b>	CARL ZEISS MEDITEC AG	
<b>Street Address:</b>	GOESCHWITZER STRASSE 51-52	
<b>City:</b>	07745 JENA	
<b>State/Country:</b>	GERMANY	
<b>PROPERTY NUMBERS Total: 1</b>		
	<b>Property Type</b>	<b>Number</b>
	Patent Number:	8487987
<b>CORRESPONDENCE DATA</b>		
<b>Fax Number:</b>	(212)725-2452	
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>		
<b>Phone:</b>	2127252450	
<b>Email:</b>	email@hpiplaw.com	
<b>Correspondent Name:</b>	GERALD E. HESPOS	
<b>Address Line 1:</b>	110 WEST 40 STREET - SUITE 2501	
<b>Address Line 4:</b>	NEW YORK, NEW YORK 10018	
<b>ATTORNEY DOCKET NUMBER:</b>	Z50142	
<b>NAME OF SUBMITTER:</b>	GERALD E. HESPOS	
<b>SIGNATURE:</b>	/Gerald E. Hespos/	
<b>DATE SIGNED:</b>	07/18/2014	
<b>Total Attachments: 17</b>		
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Translation

[Seal]

**Local Court [Amtsgericht] of Jena**

HRB 205623

**Official printout of the current entries  
June 1, 2011 09:03:59**

The printout attests the current entries in the Commercial Register.

This printout is not signed and constitutes a certified copy.

Jena, June 1, 2011

[Seal]  
Müller  
Court Clerk

Commercial Register B of the Local Court [Amtsgericht] of Jena	Department B Current entries in the Register Retrieval date: June 6, 2011 09:03 h	Number of the company: <b>HRB 205623</b>
- PRINTOUT -	Page 1 of 2	

1. **Number of previous entries:**  
16
2. **a) Company :**  
Carl Zeiss Meditec AG  
  
**b) Place of business, branch office, domestic business address, authorized recipient, subsidiaries:**  
  
Jena  
Business address: Göschwitzer Straße 51-52, 07745 Jena  
  
**c) Objects of the company:**  
  
Development, manufacture and sale of products and systems as well as diagnostic and therapy services in the field of medical engineering
3. **Share capital or capital stock**  
81,309,610.00 EUR
4. **a) Power of representation, general regulations:**  
If only one board member is appointed, he is representing the company alone. If more than one board members are appointed, the company is represented by two board members or by one board member together with a person holding full commercial power of representation [Prokurist].  
  
**b) Executive board, management, managing directors, personally liable partners, general managers, authorized representatives and special power of representation:**  
  
Board member: Dr. Monz, Ludwin, Mainz, born October 20, 1963  
Board member: Dr. Müller, Christian, Langenau, born August 3, 1967  
Board member: Simmerer, Thomas, Kelkheim, born October 19, 1962
5. **Full commercial power of representation [Prokura]:**  
  
Joint commercial power of representation [Prokura] together with a board member or another person holding full commercial power of representation [Prokurist]:  
  
Dr. Damm, Tobias, München, born August 25, 1955  
Hartwig, Falk, München, born May 25, 1964  
Dr. Kuschnereit, Ralf, Sunnyvale/USA, born October 8, 1968  
Dr. Paul, Jörg-Markus, Berlin, born August 2, 1967  
Roepert, Jörg, Jena, born March 15, 1962  
Speicher, Andreas, Ditzingen, born November 6, 1969  
Dr. Wiechmann, Martin, Jena, born December 4, 1960
6. **a) Legal status, establishment, charter or articles of association of the company:**  
  
AG [joint-stock company]  
  
Charter of November 10, 1999  
as last amended by resolution of April 12, 2011

Commercial Register B of the Local Court [Amtsgericht] of Jena	Department B Current entries in the Register Retrieval date: June 1, 2011 09:03	Number of the company: HRB 205623
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**b) Other legal relationships:**

The company has been converted from a limited liability company to a joint-stock company by a resolution of the shareholders' meeting of November 10, 1999.

Carl Zeiss Surgical GmbH headquartered in Oberkochen (Local Court [Amtsgericht] Ulm HRB 501602),

Carl Zeiss Meditec Systems GmbH headquartered in Jena (Local Court [Amtsgericht] Jena HRB 501044),

\*Acri.Tec GmbH headquartered in Hennigsdorf (Local Court [Amtsgericht] Neuruppin HRB 8149 NP) and

Carl Zeiss Medical Software GmbH headquartered in München (Local Court [Amtsgericht] München HRB 158857) have merged with the company according to the merger agreements of April 13, 2011 and the resolutions of the shareholders' meetings of the transferor companies of April 13, 2011.

The executive board is authorized by the charter of April 12, 2011, with the approval of the Supervisory Board, to increase the share capital up to April 11, 2016, once or several times, for a total of maximum 39,654,800.00 EUR against cash or non-cash contributions, the shareholders' subscription rights may be excluded (authorized capital 2011/I).

**7. a) Date of 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: <b>HRB 205623</b>
<b>Ausdruck</b>	Seite 1 von 2	

**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. Möller, 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. Kuschnerleit, Ralf, Sunnyvale / USA, \*08.10.1968  
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
Ausdruck	Seite 2 von 2	

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



Translation

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HRB 205623

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Jena  
Business address: Göschwitzer Straße 51-52, 07745 Jena  
  
**c) Objects of the company:**  
  
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- PRINTOUT -	Page 2 of 2	

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Carl Zeiss Meditec Systems GmbH headquartered in Jena (Local Court [Amtsgericht] Jena HRB 501044),

\*Acri.Tec GmbH headquartered in Hennigsdorf (Local Court [Amtsgericht] Neuruppin HRB 8149 NP) and

Carl Zeiss Medical Software GmbH headquartered in München (Local Court [Amtsgericht] München HRB 158857) have merged with the company according to the merger agreements of April 13, 2011 and the resolutions of the shareholders' meetings of the transferor companies of April 13, 2011.

The executive board is authorized by the charter of April 12, 2011, with the approval of the Supervisory Board, to increase the share capital up to April 11, 2016, once or several times, for a total of maximum 39,654,800.00 EUR against cash or non-cash contributions, the shareholders' subscription rights may be excluded (authorized capital 2011/I).

**7. a) Date of last entry:**

June 1, 2011

## VERIFICATION OF TRANSLATION

I, Beate Weltin, c/o Diehl & Partner, Augustenstraße 46, D-80333 München, Germany, certified translator, sworn-in by the President of Landgericht München II [Higher Court of Justice, Munich, Germany],

declare as follows:

1. That I am well acquainted with both the English and German languages, and
2. That, to the best of my knowledge and belief, the attached document is a true and correct translation of the copy of the Excerpt from the Commercial Register HRB 205623, printout of the current entries of June 1, 2011, 09:03:59, issued by the Local Court [Amtsgericht] of Jena on June 1, 2011, as submitted to me.

Munich, June 14, 2012



*Beate Weltin*

(Signature of Translator)

T R A N S L A T I O N

Notarial deed no. 773/2011

Negotiated in Zöllnitz on April 12, 2011

Merger of a GmbH<sup>1</sup> subsidiary with its AG<sup>2</sup> parent company

At the public notary

Dr. Martin Seikel  
having his registered office in Eisenberg  
Friedrich-Ebert-Straße 29

the following persons

1. Karl-Heinz R a f f i n ,  
born May 13, 1960,  
resident in 89522 Heidenheim, Friesenweg 2
2. Thomas S i m m e r e r ,  
born October 19, 1962,  
resident in 65779 Kelkheim, Lessingstraße 6,

acting not on their own behalf, but on behalf of the company

Carl Zeiss Surgical GmbH,  
headquartered in Oberkochen,  
business address: 73447 Oberkochen, Carl-Zeiss-Str. 22,  
Local Court Ulm, HRB 501602,

---

<sup>1</sup> limited liability company

<sup>2</sup> joint-stock company

in their capacity as managing directors having joint representative power, a representation certificate is issued separately,

3. Dr. Christian M ü l l e r ,  
born August 3, 1967,  
resident in 89129 Langenau, Lise-Meitner-Weg 2

4. Dr. Ludwin M o n z ,  
born October 20, 1963,  
resident in 55122 Mainz, Pfarrer-Brantzen-Straße 48,

acting not on their own behalf, but on behalf of the company

Carl Zeiss Meditec AG,  
headquartered in Jena,  
business address: 07745 Jena, Göschwitzer Straße 51-52,  
Local Court Jena, HRB 205623,

in their capacity of board members having joint representative power, a representation certificate is issued separately,

appeared in the rooms of the Fair Hotel in 07751 Zöllnitz, Ilmitzer Landstraße 3, where the notary was invited to come to certify the negotiations.

I, the notary, personally know the parties having appeared before me.

Upon request of the parties having appeared before me, I certify, according to their declarations, the following

# **Merger Agreement**

between

Carl Zeiss Surgical GmbH  
as the transferor company

and

Carl Zeiss Meditec AG  
as the transferee company

**§1 Preliminary Remark**

The share capital of Carl Zeiss Surgical GmbH, headquartered in Oberkochen, amounts to € 4 Mio. The share capital is fully paid in. The sole shareholder is Carl Zeiss Meditec AG headquartered in Jena.

The share capital of Carl Zeiss Meditec AG amounts to € 81,309,610.

[Blacking]

**§2 Transfer of assets**

Carl Zeiss Surgical GmbH transfers its entire assets, including all rights and obligations pertaining thereto, by way of merger by absorption involving dissolution without liquidation pursuant to §§2(1), 46 et seq., 60 et seq., UmwG [Transformation Act] to Carl Zeiss Meditec AG.

The final balance sheet, which is the transferor company's final balance sheet of October 1, 2010, shall form the basis of the merger.

The transfer of the assets of the transferor company shall ensue on an internal basis effective as of October 1, 2010 (effective merger date). As of October 1, 2010 all actions or

transactions of the transferor company shall be deemed to have been carried out for the account of the transferee company.

The transferee company shall carry forward, in its own accounts, the values of the transferred assets and liabilities as specified in the transferor company's final balance sheet. Up until registration of the merger, the transferor company shall effect transactions and dispositions of its assets only within the scope of ordinary business activities or with the consent of the transferee company.

**§3 No increase of share capital**

[Blackening]

**§4 No special rights**

[Blackening]

**§5 Results of the merger for employees and their representatives**

[Blackening]

**§6 Real estate, commercial powers of representation, branches, shares in GmbH**

[Blackening]

**§7 Copies, expenses**

[Blackening]

**§8 Annotations of the notary**

The notary has advised the parties involved about the further course of the proceedings until the date the merger becomes effective, about the effective merger date and the legal consequences of the merger, in particular about the following:



1. In order to become effective, the merger agreement requires the consent of the shareholder assembly of the transferor legal entity in notarized form.
2. As to the transferee legal entity, attention is drawn to §62 UmwG.
3. Security shall be rendered to creditors of both legal entities, upon request and when a legitimate interest is substantiated, pursuant to § 22 UmwG.

#### §9 Conditions

In order to become effective, this agreement requires the legally stipulated consent of the shareholders of the legal entities involved. It shall be deemed to have not been concluded if a consent is not given by a corresponding decision until May 20, 2011.

This deed has been read aloud to the parties having appeared before me, it has been approved by them and signed in their own hand.

[Signatures]

[Seal]

REPRESENTATION CERTIFICATE  
to notarial deed 773/2011 of April 13, 2011 issued by  
public notary Dr. Martin Seikel

***Representation of Carl Zeiss Surgical GmbH:***

Having consulted the entries in the electronic commercial register of the Local Court Ulm - Registry Court - on April 1, 2011, I, the undersigned notary, certify that the company **Carl Zeiss Surgical GmbH** is registered there under number HRB 501602 and that **Karl-Heinz Raffin** and **Thomas Simmerer** are jointly entitled to represent the company in their capacity as managing directors.

***Representation of Carl Zeiss Meditec AG:***

Having consulted the entries in the electronic commercial register of the Local Court Jena - Registry Court - on April 1, 2011, I, the undersigned notary, certify that the company **Carl Zeiss Meditec AG** is registered there under number HRB 205623 and that **Dr. Christian Müller** and **Dr. Ludwin Monz** are jointly entitled to represent the company in their capacity as board members.

Eisenberg, April 13, 2011

[Signature]

Dr. Martin Seikel

Public Notary

[Stamp]

RECORDATION FORM COVER SHEET  
PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new 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: Goeschwitzer 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)

29/384,048 29/274,386 12/801,526  
29/371,461 29/274,388 12/149,621  
29/371,460 29/274,387  
29/371,462 12/926,609  
29/347,837 12/662,984

B. Patent No.(s)

D635,286

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: Galthersburg

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: 13

7. Total fee (37 CFR 1.21(h) & 3.41) \$520.00

- ☐ 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:

Walter Ottesen  
Signature

10/18/2011  
Date

Walter Ottesen

Name of Person Signing

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

8

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