# 505110217 09/25/2018

# PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 EPAS ID: PAT5156977

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	CHANGE OF NAME

#### **CONVEYING PARTY DATA**

Name	Execution Date
MOLECULAR IMPRINTS, INC.	04/17/2014

## **RECEIVING PARTY DATA**

Name:	CANON NANOTECHNOLOGIES, INC.	
Street Address:	1807 WEST BRAKER LANE, BUILDING C-300	
City:	AUSTIN	
State/Country:	TEXAS	
Postal Code:	78758	

# **PROPERTY NUMBERS Total: 2**

Property Type	Number
Application Number:	14309960
Application Number:	14322254

### **CORRESPONDENCE DATA**

**Fax Number:** (703)726-6024

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.

Phone: 703-726-6020 mail@rkmllp.com

Correspondent Name: ROSSI, KIMMS & MCDOWELL LLP

Address Line 1: 20609 GORDON PARK SQUARE, SUITE 150

Address Line 4: ASHBURN, VIRGINIA 20147

ATTORNEY DOCKET NUMBER:	CANO-2704X; CANO-2717X	
NAME OF SUBMITTER:	KARIM B. SOSA	
SIGNATURE:	/Karim B. Sosa/	
DATE SIGNED:	09/25/2018	

## **Total Attachments: 10**

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Delaware

PAGE 1

# The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF

DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT

COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"MERCURY ACQUISITION, INC.", A DELAWARE CORPORATION,

WITH AND INTO "MOLECULAR IMPRINTS, INC." UNDER THE NAME OF
"CANON NANOTECHNOLOGIES, INC.", A CORPORATION ORGANIZED AND
EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED
AND FILED IN THIS OFFICE THE SEVENTEENTH DAY OF APRIL, A.D.
2014, AT 5:28 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE EIGHTEENTH DAY OF APRIL, A.D. 2014, AT 12:01 O'CLOCK A.M.

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

3355172 8100M

DATE: 04-17-14

AUTHENT\CATION: 1302594

Jeffrey W. Bullock, Secretary of State

PATENT REEL: 046961 FRAME: 0728

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You may verify this certificate online at corp.delaware.gov/authver.shtml

State of Delaware Secretary of State Division of Corporations Delivered 05:28 PM 04/17/2014 FILED 05:28 PM 04/17/2014 SRV 140487218 - 3355172 FILE

# **CERTIFICATE OF MERGER**

#### MERGING

# MERCURY ACQUISITION, INC.

# WITH AND INTO

# MOLECULAR IMPRINTS, INC.

The undersigned corporation organized and existing under and by virtue of the General Corporation Law of Delaware, DOES HEREBY CERTIFY AS FOLLOWS:

FIRST: The name and state of incorporation of each of the constituent corporations to the merger (the "Constituent Corporations") is as follows:

Name

State of Incorporation

Mercury Acquisition, Inc.

Delaware Delaware

Molecular Imprints, Inc.

SECOND: That an Agreement and Plan of Merger dated as of February 5, 2014 (the "Merger Agreement") by and among Mercury Acquisition, Inc. ("Acquisition Sub"), Molecular Imprints, Inc. (the "Company") and the other parties thereto has been approved, adopted, certified, executed and acknowledged by each of Acquisition Sub and the Company in

accordance with Section 251 of the General Corporation Law of Delaware.

THIRD: That the name of the surviving corporation (the "Surviving Corporation") is Molecular Imprints, Inc.

FOURTH: That, pursuant to the Merger Agreement, the Amended and Restated Certificate of Incorporation of the Surviving Corporation, which was filed on February 1, 2010 and amended on April 17, 2014, shall be amended and restated in its entirety to read as set forth on Exhibit A hereto to, among other things, change the name of the Surviving Corporation to "Canon Nanotechnologies, Inc." and, as so amended, shall be the Certificate of Incorporation of the Surviving Corporation.

FIFTH: That an executed copy of the Merger Agreement is on file at the principal place of business of the Surviving Corporation at the following address:

Canon Nanotechnologies, Inc. 1807-C West Braker Lane Suite 200 Austin, Texas 78758

SIXTH: That a copy of the Merger Agreement will be furnished by the Surviving Corporation, on request, and without cost, to any stockholder of any Constituent Corporation.

SEVENTH: That this Certificate of Merger shall be effective upon 12:01 a.m. Eastern on April 18, 2014.

[Signature Page Follows]

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NY 243467530v11

IN WITNESS WHEREOF, Molecular Imprints, Inc. has caused this Certificate of Merger to be executed by its duly authorized officer as of this <u>17th</u> day of April, 2014.

MOLECULAR IMPRINTS, INC.

By:

Name: C. Mark Melliar-Smith Title: Chief Executive Officer

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# **EXHIBIT A**

# CERTIFICATE OF INCORPORATION OF SURVIVING CORPORATION

[See Attached]

# CERTIFICATE OF INCORPORATION

**OF** 

# CANON NANOTECHNOLOGIES, INC.

#### ARTICLE I

Name

The name of the corporation is Canon Nanotechnologies, Inc. (the "Corporation").

#### ARTICLE II

# Registered Office

The address of the registered office of the Corporation in the State of Delaware is 160 Greentree Drive, Suite 101, Dover, County of Kent, 19904 and the name of the registered agent is National Registered Agents, Inc.

### ARTICLE III

# Corporate Purpose

The purpose of the Corporation is to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of the State of Delaware (the "General Corporation Law").

## **ARTICLE IV**

### Capital Stock

The total number of shares of all classes of stock that the Corporation shall have authority to issue is 1,000, all of which shall be shares of Common Stock, par value \$0.01 per share.

#### ARTICLE V

## Directors

- (1) Elections of directors of the Corporation need not be by written ballot, except and to the extent provided in the By-laws of the Corporation.
- (2) To the fullest extent permitted by the General Corporation Law as it now exists and as it may hereafter be amended, no director of the Corporation shall be personally liable to the Corporation or its stockholders for monetary damages for breach of fiduciary duty as a director.

## ARTICLE VI

# Indemnification of Directors, Officers and Others

- (1) To the fullest extent permitted by the General Corporation Law as the same exists or may hereafter be amended, a director of the Corporation shall not be personally liable to the Corporation or its stockholders for monetary damages for breach of duty as a director. Without limiting the foregoing in any respect, a director of the Corporation shall not be personally liable to the Corporation or its stockholders for monetary damages for breach of duty as a director, except for liability (i) for any breach of the director's duty of loyalty to the Corporation or its stockholders, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (iii) under Section 174 of the General Corporation Law, or (iv) for any transaction from which the director derived an improper personal benefit. If the General Corporation Law is amended to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of a director of the Corporation shall be eliminated or limited to the fullest extent permitted by the General Corporation Law, as so amended. Any repeal or modification of this provision shall not adversely affect any right or protection of a director of the Corporation existing at the time of such repeal or modification.
- The Corporation shall indemnify to the fullest extent permitted by, and in the manner **(2)** permissible under, the laws of the State of Delaware any person (and heirs, executors, administrators and estate of such person) made, or threatened to be made, a party to any threatened, pending or completed action, suit or proceeding, whether criminal, civil, administrative or investigative, by reason of the fact that he or she is or was a director or officer of the Corporation, or served another corporation, partnership, joint venture, trust or other enterprise as a director, advisory director, officer, employee or agent at the request of the Corporation, against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by such person in connection with such action, suit or proceeding. The foregoing rights of indemnification shall not be deemed exclusive of any other rights to which any such person may be entitled under any bylaw, agreement, vote of stockholders or disinterested directors or otherwise. The Board of Directors of the Corporation in its discretion shall have the power on behalf of the Corporation to indemnify similarly any person, other than a director or officer, made a party to any threatened, pending or completed action, suit or proceeding by reason of the fact that he is or was an advisory director, employee or agent of the Corporation. The provisions of this Article VI shall be applicable to persons who have ceased to be directors, advisory directors, officers, employees or agents of the Corporation and shall inure to the benefit of their heirs, executors and administrators.

#### ARTICLE VII

By-Laws

The directors of the Corporation shall have the power to adopt, amend or repeal By-laws.

#### ARTICLE VIII

# Reorganization

Whenever a compromise or arrangement is proposed between this Corporation and its creditors or any class of them and/or between this Corporation and its stockholders or any class of them, any court of equitable jurisdiction within the State of Delaware may, on the application in a summary way of this Corporation or of any creditor or stockholder thereof or on the application of any receiver or receivers appointed for this Corporation under the provisions of section 291 of Title 8 of the Delaware Code or on the application of trustees in dissolution or of any receiver or receivers appointed for this Corporation under the provisions of section 279 of Title 8 of the Delaware Code order a meeting of the creditors or class of creditors, and/or of the stockholders or class of stockholders of this Corporation, as the case may be, to be summoned in such manner as the said court directs. If a majority in number representing three-fourths in value of the creditors or class of creditors, and/or of the stockholders or class of stockholders of this Corporation, as the case may be, agree to any compromise or arrangement and to any reorganization of this Corporation as a consequence of such compromise or arrangement, the said compromise or arrangement and the said reorganization shall, if sanctioned by the court to which the said application has been made, be binding on all the creditors or class of creditors, and/or on all the stockholders or class of stockholders, of this Corporation, as the case may be, and also on this Corporation.

#### ARTICLE IX

#### Amendment

The Corporation reserves the right to amend, alter, change or repeal any provisions contained in this Certificate of Incorporation in the manner now or hereafter prescribed by law, and all the provisions of this Certificate of Incorporation and all rights conferred on stockholders, directors and officers in this Certificate of Incorporation are subject to this reserved power.

#### CERTIFICATE OF CORRECTION

## OF THE

#### CERTIFICATE OF MERGER

#### MERGING

## MERCURY ACQUISITION INC.

#### WITH AND INTO

# CANON NANOTECHNOLOGIES, INC.

(formerly MOLECULAR IMPRINTS, INC.)

# Pursuant to §103 of the Delaware Business Corporation Law

CANON NANOTECHNOLOGIES, INC. (formerly Molecular Imprints, Inc.) (hereinafter called the "Corporation"), a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware, does hereby certify:

- 1. The name of the corporation is Canon Nanotechnologies, Inc.
- 2. The Certificate of Merger filed with the Secretary of State of Delaware on April 17, 2014, is hereby corrected.
  - 3. The inaccuracy to be corrected in said instrument is as follows:

The address of the principal place of business of the Surviving Corporation was erroneously indicated in paragraph FIFTH of the Certificate of Merger.

4. The portion of the instrument in corrected form is as follows:

"FIFTH: That an executed copy of the Merger Agreement is on file at the principal place of business of the Surviving Corporation at the following address:

Canon Nanotechnologies, Inc. 1807-C West Braker Lane Suite 300 Austin, TX 78758."

[Signature page follows]

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IN WITNESS WHEREOF, said corporation has caused this Certificate of Correction to be executed as of July <u>/7</u>, 2014.

Name: C. M. Melliar-Smith

Title: President and CEO

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**RECORDED: 09/25/2018**