

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

EPAS ID: PAT7173830

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| SUBMISSION TYPE: | NEW ASSIGNMENT | |
| NATURE OF CONVEYANCE: | MERGER AND CHANGE OF NAME | |
| EFFECTIVE DATE: | 07/21/2021 | |
| CONVEYING PARTY DATA | | |
| | Name | Execution Date |
| | BERKSHIRE GREY, INC. | 07/21/2021 |
| NEWLY MERGED ENTITY DATA | | |
| | Name | Execution Date |
| | BERKSHIRE GREY OPERATING COMPANY, INC. | 07/21/2021 |
| MERGED ENTITY'S NEW NAME (RECEIVING PARTY) | | |
| Name: | BERKSHIRE GREY OPERATING COMPANY, INC. | |
| Street Address: | 140 SOUTH ROAD | |
| City: | BEDFORD | |
| State/Country: | MASSACHUSETTS | |
| Postal Code: | 01730 | |
| PROPERTY NUMBERS Total: 1 | | |
| | Property Type | Number |
| | Application Number: | 17583528 |
| CORRESPONDENCE DATA | | |
| Fax Number: | (617)350-6878 | |
| <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> | | |
| Phone: | 6173506800 | |
| Email: | Fay.Guarino@Gesmer.com | |
| Correspondent Name: | GESMER UPDEGROVE LLP | |
| Address Line 1: | 40 BROAD STREET | |
| Address Line 4: | BOSTON, MASSACHUSETTS 02109 | |
| ATTORNEY DOCKET NUMBER: | BG.10506CON | |
| NAME OF SUBMITTER: | FAY E. GUARINO | |
| SIGNATURE: | /Fay E. Guarino/ | |
| DATE SIGNED: | 02/14/2022 | |
| Total Attachments: 8 | | |

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Christopher Geyer, *et al.*

Application No.: 17/583,528

Confirmation No.: 8095

Filed: January 25, 2022

Art Unit: OPAP

For: SYSTEMS AND METHODS FOR
CONTROLLING THE DISGORGING OF
OBJECTS IN CONTAINERS BY
VIBRATORY MOTION

Examiner: CENTRAL, DOCKET

Attn: Assignment Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ASSIGNEE MERGER AND NAME CHANGE

Applicant respectfully submits this communication and Certificate of Merger executed July 21, 2021, to effectuate and record the Merger and Name Change for the previously recorded Assignee/Applicant name in the U.S. Patent Application identified above, as follows:

FROM (OLD NAME):

Berkshire Grey, Inc.

TO (NEW NAME):

Berkshire Grey Operating Company, Inc.

Applicant respectfully requests that all pertinent U.S. Patent and Trademark Office records relating to this Assignee/Applicant merger and name change be recorded to reflect this update.

Date: February 14, 2022

Respectfully submitted,
/William E. Hilton/
William E. Hilton
Registration Number 35192
Gesmer Updegrove LLP
40 Broad Street
Boston, Massachusetts 02109
Telephone: (617) 350-6800
Extension: 333

Delaware

The First State

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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:

"PICKUP MERGER CORP", A DELAWARE CORPORATION,
WITH AND INTO "BERKSHIRE GREY, INC." UNDER THE NAME OF
"BERKSHIRE GREY OPERATING COMPANY, INC.", A CORPORATION
ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE,
AS RECEIVED AND FILED IN THIS OFFICE ON THE TWENTY-FIRST DAY OF
JULY, A.D. 2021, AT 8:20 O`CLOCK A.M.



5409258 8100M
SR# 20214107923

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

A handwritten signature in black ink, appearing to read "JBULLOCK", written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed in a small font.

Authentication: 204990571
Date: 12-15-21

PATENT
REEL: 058998 FRAME: 0881

CERTIFICATE OF MERGER

OF

PICKUP MERGER CORP

WITH AND INTO

BERKSHIRE GREY, INC.

Pursuant to Section 251 of the
General Corporation Law of the State of Delaware

Pursuant to Section 251 of the General Corporation Law of the State of Delaware ("DGCL"), the undersigned corporation, Berkshire Grey, Inc., a Delaware corporation ("Berkshire Grey"), in connection with the merger of Pickup Merger Corp, a Delaware corporation ("Merger Sub"), with and into Berkshire Grey (the "Merger"), does hereby certify:

FIRST: The names and states of incorporation of the constituent corporations to this Merger (the "Constituent Corporations") are as follows:

| <u>Name</u> | <u>State of Incorporation</u> |
|----------------------|-------------------------------|
| Berkshire Grey, Inc. | Delaware |
| Pickup Merger Corp | Delaware |

SECOND: An Agreement and Plan of Merger, dated as of February 23, 2021 (the "Merger Agreement"), by and among Revolution Acceleration Acquisition Corp, a Delaware corporation, Merger Sub and Berkshire Grey, providing for, among other things, the Merger, has been approved, adopted, executed and acknowledged by each of the Constituent Corporations in accordance with Sections 251 and 228 of the DGCL.

THIRD: Berkshire Grey shall be the surviving corporation in the Merger (the "Surviving Corporation"). Pursuant to the Merger, the name of the Surviving Corporation shall be changed at the Effective Time (as defined below) to "Berkshire Grey Operating Company, Inc."

FOURTH: Pursuant to the Merger, in accordance with Section 251 of the DGCL, the Amended and Restated Certificate of Incorporation of Berkshire Grey as of immediately prior to the Effective Time shall be amended and restated in its entirety at the Effective Time as set forth in Exhibit A attached hereto and, as so amended and restated, shall be the certificate of incorporation of the Surviving Corporation until thereafter amended as provided therein or by applicable law.

FIFTH: An executed copy of the Merger Agreement is on file at an office of the Surviving Corporation at the following address:

140 South Road
Bedford, MA 01730

SIXTH: A copy of the Merger Agreement will be provided by the Surviving Corporation, upon request and without cost, to any stockholder of either Constituent Corporation.

SEVENTH: The Merger shall become effective upon the filing of this Certificate of Merger with the Secretary of State of the State of Delaware (the "Effective Time").

[Signature Page Follows]

IN WITNESS WHEREOF, Berkshire Grey, Inc. has caused this Certificate of Merger to be executed in its corporate name this 21st day of July, 2021.

BERKSHIRE GREY, INC.

By: 

Name: Thomas Wagner

Title: Chief Executive Officer

Exhibit A

SIXTH AMENDED AND RESTATED

CERTIFICATE OF INCORPORATION

OF

BERKSHIRE GREY OPERATING COMPANY, INC.

FIRST: The name of the Corporation is Berkshire Grey Operating Company, Inc. (hereinafter the "Corporation").

SECOND: The address of the Corporation's registered office in the State of Delaware is 1209 Orange Street, Wilmington, County of New Castle, Delaware 19801. The name of its registered agent at such address is The Corporation Trust Company.

THIRD: 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 "DGCL") or any successor statute.

FOURTH: The total number of shares of capital stock which the Corporation shall have authority to issue is 100 shares of common stock, par value \$0.01 per share (the "Common Stock").

FIFTH: The following provisions are inserted for the management of the business and the conduct of the affairs of the Corporation, and for further definition, limitation and regulation of the powers of the Corporation and of its directors and stockholders:

(1) The business and affairs of the Corporation shall be managed by or under the direction of the Board of Directors.

(2) The directors shall have concurrent power with the stockholders to make, alter, amend, change, add to or repeal the bylaws of the Corporation (the "Bylaws").

(3) The number of directors of the Corporation shall be as from time to time fixed by, or in the manner provided in, the Bylaws of the Corporation. Election of directors need not be by written ballot unless the Bylaws so provide.

(4) A director of the Corporation shall not be personally liable to the Corporation or its stockholders for monetary damages for breach of fiduciary

duty as a director, except for liability (a) for any breach of the director's duty of loyalty to the Corporation or its stockholders, (b) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (c) under Section 174 of the DGCL or (d) for any transaction from which the director derived an improper personal benefit. If the DGCL is amended after the effective date of this Sixth Amended and Restated Certificate of Incorporation 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 DGCL, as so amended. Any amendment, repeal or modification of this Article FIFTH by either of (i) the stockholders of the Corporation or (ii) an amendment to the DGCL, shall not adversely affect any right or protection existing at the time of such amendment, repeal or modification with respect to any acts or omissions occurring before such amendment, repeal or modification of a person serving as a director at the time of such amendment, repeal or modification.

(5) In addition to the powers and authority hereinbefore or by statute expressly conferred upon them, the directors are hereby empowered to exercise all such powers and do all such acts and things as may be exercised or done by the Corporation, subject, nevertheless, to the provisions of the DGCL, this Sixth Amended and Restated Certificate of Incorporation, and any Bylaws adopted by the stockholders; provided, however, that no Bylaws hereafter adopted by the stockholders shall invalidate any prior act of the directors which would have been valid if such Bylaws had not been adopted.

SIXTH: The Corporation hereby expressly elects not to be governed by Section 203 of the DGCL, and the restrictions contained in Section 203 of the DGCL shall not apply to the Corporation.

SEVENTH: Meetings of stockholders may be held within or without the State of Delaware, as the Bylaws may provide. The books of the Corporation may be kept (subject to any provision contained in the DGCL) outside the State of Delaware at such place or places as may be designated from time to time by the Board of Directors or in the Bylaws.

EIGHTH: If any provision or provisions of this Sixth Amended and Restated Certificate of Incorporation shall be held to be invalid, illegal or unenforceable as applied to any circumstance for any reason whatsoever the validity, legality and enforceability of such provisions in any other circumstance and of the remaining provisions of this Sixth Amended and Restated Certificate of Incorporation (including, without limitation, each portion of any paragraph of this Sixth Amended and Restated Certificate of Incorporation containing any such provision held to be invalid, illegal or unenforceable that is not itself held to be invalid, illegal or unenforceable) shall not in any way be affected or impaired thereby.

NINTH: The Corporation reserves the right to amend, alter, change or repeal any provision contained in this Sixth Amended and Restated Certificate of Incorporation, in the manner now or hereafter prescribed by statute, and all rights conferred upon stockholders herein are granted subject to this reservation.

[Remainder of Page Intentionally Blank]