

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

EPAS ID: PAT8203948

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|---|---|-----------------------|
| SUBMISSION TYPE: | NEW ASSIGNMENT | |
| NATURE OF CONVEYANCE: | MERGER | |
| EFFECTIVE DATE: | 04/01/2022 | |
| CONVEYING PARTY DATA | | |
| | Name | Execution Date |
| | SPIRATION, INC. D/B/A OLYMPUS RESPIRATORY AMERICA | 04/01/2020 |
| RECEIVING PARTY DATA | | |
| Name: | GYRUS ACMI, INC. | |
| Street Address: | 800 WEST PARK DRIVE | |
| City: | WESTBOROUGH | |
| State/Country: | MASSACHUSETTS | |
| Postal Code: | 01581 | |
| PROPERTY NUMBERS Total: 1 | | |
| | Property Type | Number |
| | Application Number: | 17354496 |
| CORRESPONDENCE DATA | | |
| Fax Number: | | |
| <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> | | |
| Email: | request@slwip.com | |
| Correspondent Name: | SCHWEGMAN LUNDBERG & WOESSNER P.A. | |
| Address Line 1: | P.O. BOX 2938 | |
| Address Line 4: | MINNEAPOLIS, MINNESOTA 55402 | |
| ATTORNEY DOCKET NUMBER: | 5409.630US2 | |
| NAME OF SUBMITTER: | TAMERAE ROBINSON | |
| SIGNATURE: | /TAMERAE ROBINSON/ | |
| DATE SIGNED: | 10/04/2023 | |
| Total Attachments: 6 | | |
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| source=5409630US2_Assignment_Merger#page2.tif | | |
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RECORDATION FORM COVER SHEET
PATENTS ONLY

Form PTO-1595 (Rev. 6-18)
OMB No. 0651-0027 (exp. 10/31/2024)

U.S. Department of Commerce
United States Patent and Trademark Office

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):

Spiration, Inc. d/b/a Olympus Respiratory America
Additional name(s) of conveying party(ies) attached?
☐ Yes ☒ No

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

Execution Date(s): April 1, 2020

☐ 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: Gyrus ACMI, Inc.
Street Address: 136 Turnpike Road
City: Southborough
State/Province: Massachusetts
Zip: 01772
Country: United States of America

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

4. Application number(s) or patent number(s): ☐ This document serves as an Oath/Declaration (37 CFR 1.63)

A. Patent Application No.(s)

B. Patent No.(s)

Serial No. 17/354,496

Additional numbers attached? ☐ Yes ☒ No

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

Name: Gregory M. Stark
Address: Schwegman Lundberg & Woessner, P.A.
P.O. Box 2938
Minneapolis, Minnesota 55402
Phone Number: (612) 373-6904
Docket Number: 5409 630US2
Email Address: request@slwip.com

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 1.21(h) & 3.41): \$0.00

☐ Authorized to be charged to deposit account 19-0743
☐ Enclosed
☐ None required (government interest not affecting title)

8. Payment Information

Deposit Account No.: 19-0743
Authorized User Name: Gregory M. Stark

9. Signature:

Gregory M. Stark/Reg. No. 62,731 / Sep 29, 2023
Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and documents: 6

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, VA 22313-1450

PATENT
REEL: 065123 FRAME: 0831

Delaware

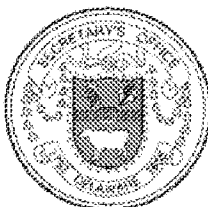
The First State

Page 1

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 OWNERSHIP, WHICH MERGES:

"SPIRATION, INC.", A DELAWARE CORPORATION,

WITH AND INTO "GYRUS ACMI, INC." UNDER THE NAME OF "GYRUS
ACMI, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS
OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE
ON THE FIRST DAY OF APRIL, A.D. 2020, AT 8:32 O'CLOCK A.M.




Jeffrey W. Bullock, Secretary of State

2124326 8100M
SR# 20202510685

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

Authentication: 202692501
Date: 04-01-20

PATENT
REEL: 065123 FRAME: 0832

STATE OF DELAWARE
CERTIFICATE OF OWNERSHIP AND MERGER
OF

SPIRATION, INC.,
a Delaware corporation

WITH AND INTO

GYRUS ACMI, INC.,
a Delaware corporation

April 1, 2020

Pursuant to Section 253 of the Delaware General Corporation Law (the “DGCL”), the undersigned, the duly elected and acting President of Gyrus ACMI, Inc., a Delaware corporation (the “Company”), hereby certifies to the following information relating to the merger (the “Merger”) of Spiration, Inc., a Delaware corporation (the “Subsidiary”), with and into the Company:

FIRST: The Subsidiary was incorporated in the State of Delaware on May 10, 1999.

SECOND: The name of the Company after the Merger shall be “Gyrus ACMI, Inc.”

THIRD: The Company was incorporated in the State of Delaware on April 23, 1987. The Company’s Certificate of Incorporation was filed under the name of “Circon Corporation.”

FOURTH: The Company owns all of the issued and outstanding shares of the capital stock of the Subsidiary.

FIFTH: The DGCL permits the merger of the Subsidiary with and into the Company.

SIXTH: The Board of Directors of the Company duly adopted, by Unanimous Written Consent dated April 1, 2020, the resolutions attached hereto as Exhibit A in connection with the Merger.

SEVENTH: The Subsidiary is hereby merged with and into the Company. The Company shall possess all of the estate, property, rights, powers, privileges and franchises of the Subsidiary, and shall assume all of the Subsidiary’s debts, liabilities, obligations and duties.

State of Delaware
Secretary of State
Division of Corporations
Delivered 08:32 AM 04/01/2020
FILED 08:32 AM 04/01/2020

PATENT

REEL: 065123 FRAME: 0833

EIGHTH: The officers of the Company be and they hereby are authorized and directed to do all acts and things whatsoever, whether within or without the State of Delaware, which may be in any way necessary or proper to effect the Merger.

NINTH: This Certificate of Ownership and Merger shall be effective on the date such document is filed of record with the Secretary of State of the State of Delaware.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Ownership and Merger as of the date first written above.

GYRUS ACML, INC.,
a Delaware corporation

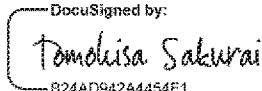
By: 
Tomohisa Sakurai, President

EXHIBIT "A"

Agreement and Plan of Merger

BE IT RESOLVED, that it is the determination of the Board of Directors of Gyrus ACMI, Inc. (the "Corporation") that the form, terms and provisions of the Merger Agreement between the Corporation and Spiration, Inc. ("Spiration") are fair to, and in the best interests of, the Corporation and its sole shareholder, that the Merger Agreement (including the exhibits attached thereto), with such changes therein as the appropriate officers of the Corporation (the "Authorized Officers") executing such Merger Agreement deem necessary and proper, be, and hereby is, in all respects, approved, adopted and declared advisable in accordance with the applicable sections of the DGCL; and be it further

RESOLVED, that the Board of Directors hereby agrees that the Corporation shall engage in the Merger (as defined in the Merger Agreement) with Spiration at the Effective Time (as defined in the Merger Agreement) pursuant to and in accordance with the terms of the Merger Agreement; and be it further

II. Effects of Merger

RESOLVED, that the Board of Directors hereby agrees that the Corporation shall accept all property, rights, privileges, immunities, powers and franchises (as described in the Merger Agreement) from Spiration and assume all of the debts, liabilities, obligations and duties (as described in the Merger Agreement) of Spiration at the Effective Time (as defined in the Merger Agreement) pursuant to and in accordance with the terms of the Merger Agreement; and be it further

III. General Authorizations

RESOLVED, that the Authorized Officers are hereby authorized to execute in the name and on behalf of the Corporation and deliver the Merger Agreement and all of the other agreements and documentation contemplated therein, in substantially the forms previously delivered to and received by the Board of Directors, except for such changes, additions and deletions as to any or all of the terms and provisions thereof as the Authorized Officers shall deem proper, such execution by such Authorized Officer to be conclusive evidence that such Authorized Officer deems all of the terms and provisions thereof to be proper; and be it further

RESOLVED, that the Authorized Officers be, and hereby are, authorized to cause the Corporation to duly perform its obligations under the Merger Agreement, including accepting all property, rights, privileges, immunities, powers and franchises (as described in the Merger Agreement) and assuming all of the debts, liabilities, obligations and duties of Spiration (as described in the Merger Agreement) and engaging in the Merger (as defined in the Merger Agreement); and be it further

RESOLVED, that the Authorized Officers be, and hereby are, authorized to take such action from time to time as such Authorized Officer shall deem necessary, advisable or proper in

order to carry out and perform the obligations of the Corporation under the Merger Agreement pursuant to these resolutions and to take any and all other actions in the furtherance of or to carry out the purpose of the foregoing resolutions; and be it further

RESOLVED, that any and all actions and deeds heretofore taken by any Authorized Officer in connection with the negotiation, execution and delivery of the Merger Agreement and all of the other agreements and documentation contemplated therein, are hereby approved, ratified and confirmed in all respects; and be it further

RESOLVED, that the omission from these resolutions of any agreement or other arrangement contemplated by any of the agreements or instruments described in the foregoing resolutions or any action to be taken in accordance with any requirement of any of the agreements or instruments described in the foregoing resolutions shall in no respect derogate from the authority of the Authorized Officers to take all actions necessary, desirable, advisable or appropriate to consummate, effectuate or carry out the transactions contemplated by and the intent and purposes of the foregoing and following resolutions; and be it further

RESOLVED, that the Corporation's Secretary is instructed to file this Unanimous Written Consent with the minutes of the proceedings of the Board of Directors; and be it further

RESOLVED, that this Unanimous Written Consent may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.