

11-03-2000



101505410

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type 10-2-00

New

Resubmission (Non-Recordation)
Document ID # _____

Correction of PTO Error
Reel # _____ Frame # _____

Corrective Document
Reel # _____ Frame # _____

Conveyance Type

Assignment License

Security Agreement Nunc Pro Tunc Assignment

Merger
Effective Date
Month Day Year
06 24 2000

Change of Name

Other _____

Conveying Party Mark if additional names of conveying parties attached

Name Orbtek, Inc. Execution Date
Month Day Year
06 20 2000

Formerly _____

Individual General Partnership Limited Partnership Corporation Association

Other _____

Citizenship/State of Incorporation/Organization Utah

Receiving Party Mark if additional names of receiving parties attached

Name Bausch & Lomb Surgical, Inc.

DBA/AKA/TA _____

Composed of _____

Address (line 1) 555 West Arrow Highway

Address (line 2) _____

Address (line 3) Claremont California 91711
City State/Country Zip Code

Individual General Partnership Limited Partnership If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

Corporation Association

Other _____

Citizenship/State of Incorporation/Organization Delaware

FOR OFFICE USE ONLY

11/03/2000 610N11 00000194 021/07 1529-350

01 FC:4B1 10.00 CH
02 FC:4B2 275.00 CH

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK
REEL: 002168 FRAME: 0119

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

#

Trademark Application Number(s) or Registration Number(s)

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

<input type="text" value="See"/>	<input type="text" value="Attached"/>	<input type="text" value="Schedule"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Number of Properties

Enter the total number of properties involved.

#

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed

Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes

No

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Jon O. Webster

Jon O. Webster

9/25/00

Name of Person Signing

Signature

Date Signed

TM Rights (Grouped by mark)

Report Date: 9/21/00

Page: 1

<i>Mark:</i>	ACSCAN DESIGN								
ID	Country	Classes	Reg. Owner	App. #	App. Dt	Reg. #	Reg. Dt	Allow. Dt	ITU
5778	United States	9	ORBTEK, INC.	75/282350	4/28/97	2237516	4/6/99		No

<i>Mark:</i>	DESIGNER SURGERY								
ID	Country	Classes	Reg. Owner	App. #	App. Dt	Reg. #	Reg. Dt	Allow. Dt	ITU
5785	United States	10	ORBTEK, INC.	75/282348	4/28/97			6/8/99	Yes

<i>Mark:</i>	FITSCAN								
ID	Country	Classes	Reg. Owner	App. #	App. Dt	Reg. #	Reg. Dt	Allow. Dt	ITU
5781	United States	9	ORBTEK, INC.	75/598606	12/3/98	2309186	1/18/00		No

<i>Mark:</i>	FITSHOT DESIGN								
ID	Country	Classes	Reg. Owner	App. #	App. Dt	Reg. #	Reg. Dt	Allow. Dt	ITU
5774	United States	9	ORBTEK, INC.	75/333759	7/31/97	2185887	9/1/98		No

<i>Mark:</i>	IOL-SCAN DESIGN								
ID	Country	Classes	Reg. Owner	App. #	App. Dt	Reg. #	Reg. Dt	Allow. Dt	ITU
5782	United States	9	ORBTEK, INC.	75/281920	4/28/97	2224768	2/16/99		No

<i>Mark:</i>	MICROSCAN DESIGN								
ID	Country	Classes	Reg. Owner	App. #	App. Dt	Reg. #	Reg. Dt	Allow. Dt	ITU
5779	United States	9	ORBTEK, INC.	75/281919	4/28/97	2224767	2/16/99		No

<i>Mark:</i>	ORBSCAN DESIGN								
ID	Country	Classes	Reg. Owner	App. #	App. Dt	Reg. #	Reg. Dt	Allow. Dt	ITU
5777	United States	10	ORBTEK, INC.	75/095856	4/29/96	2050811	4/8/97		No

<i>Mark:</i>	ORBSHOT DESIGN								
ID	Country	Classes	Reg. Owner	App. #	App. Dt	Reg. #	Reg. Dt	Allow. Dt	ITU
5776	United States	10	ORBTEK, INC.	75/183599	10/18/96	2188334	9/8/98		No

TRADE MARK

TM Rights (Grouped by mark)

<i>Mark:</i>	ORBTEK DESIGN								
ID	Country	Classes	Reg. Owner	App. #	App. Dt	Reg. #	Reg. Dt	Allow. Dt	ITU
5775	United States	10	ORBTEK, INC.	75/095879	4/29/96	2052578	4/15/97		No

<i>Mark:</i>	PACSCAN DESIGN								
ID	Country	Classes	Reg. Owner	App. #	App. Dt	Reg. #	Reg. Dt	Allow. Dt	ITU
5780	United States	9	ORBTEK, INC.	75/108706	5/23/96	2057345	4/29/97		No

<i>Mark:</i>	RAYSCAN								
ID	Country	Classes	Reg. Owner	App. #	App. Dt	Reg. #	Reg. Dt	Allow. Dt	ITU
5787	United States	9	ORBTEK, INC.	75/598607	12/3/98	2309187	1/18/00		No

<i>Mark:</i>	W.A.V.E.								
ID	Country	Classes	Reg. Owner	App. #	App. Dt	Reg. #	Reg. Dt	Allow. Dt	ITU
5783	United States	9	ORBTEK, INC.	75/625385	1/20/99				Yes

Office of the Secretary of State

I, EDWARD J. FREEL, 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:

"ORBTEK, INC.", A UTAH CORPORATION,

WITH AND INTO "BAUSCH & LOMB SURGICAL, INC." UNDER THE NAME OF "BAUSCH & LOMB SURGICAL, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-SECOND DAY OF JUNE, A.D. 2000, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE TWENTY-FOURTH DAY OF JUNE, A.D. 2000.

2089230 8100M

001474763



A handwritten signature in cursive script, reading "Edward J. Freel".

Edward J. Freel, Secretary of State

AUTHENTICATION: 0685869

DATE: 09-20-00

TRADEMARK
REEL: 002168 FRAME: 0123

**CERTIFICATE OF MERGER
OF
ORBTEK, INC.
INTO
BAUSCH & LOMB SURGICAL, INC.**

(Under Section 252 of the General Corporation Law of the State of Delaware)

Bausch & Lomb Surgical, Inc., a Delaware corporation, does hereby certify:

FIRST: The name and state of incorporation of each of the constituent corporations of the merger is as follows:

- (a) Orbtex, Inc., a Utah corporation ("Orbtex"); and
- (b) Bausch & Lomb Surgical, Inc., a Delaware corporation ("B&L Surgical")

SECOND: An Agreement and Plan of Merger has been approved, adopted, certified, executed and acknowledged by Orbtex and B&L Surgical in accordance with the provisions of subsection (c) of Section 252 of the General Corporation Law of the State of Delaware.

THIRD: The name of the surviving corporation is Bausch & Lomb Surgical, Inc.

FOURTH: The Certificate of Incorporation of B&L Surgical shall be the Certificate of incorporation of the surviving corporation.

FIFTH: The surviving corporation is a corporation of the State of Delaware

SIXTH: The executed Agreement and Plan of Merger is on file at the principal place of business of B&L Surgical at 555 West Arrow Highway, Claremont, California 91711. A copy of the Agreement and Plan of Merger will be furnished by B&L Surgical, on request and without cost, to any stockholder of any constituent corporation.

SEVENTH: The effective date of the merger shall be June 24, 2000.

COMORB

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:00 AM 06/22/2000
001318066 - 2089230

TRADEMARK
REEL: 002168 FRAME: 0124

EIGHTH: The authorized capital stock of Orbtak is

- (a) 30,000,000 shares of Common Stock, no par value.
 - (b) 1,314,286 shares of Series A Convertible Preferred Stock, no par value
- and
- (c) 100,000 shares of Series C Convertible Preferred Stock, no par value.

IN WITNESS WHEREOF, Bausch & Lomb Surgical, Inc. has caused this Certificate to be signed by its President as of the 30th day of June, 2000.

BAUSCH & LOMB SURGICAL, INC.

By:


Hakan S. Edstrom, President

TOTAL P. 03