FORM PTO-1618A Expires 06/30/99 OMB 0651-0027

11-03-2000 

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# 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 Conveyance Type					
X New Assignment License					
Resubmission (Non-Recordation) Security Agreement Nunc Pro Tunc Assignment					
Document ID # Effective Date    X   Merger   Month Day Year					
Correction of PTO Error  Reel # Frame # 06 24 2000					
Corrective Document Change of Name					
Reel # Other					
Conveying Party  Mark if additional names of conveying parties attached  Execution Date Month Day Year					
Name Orbtek, Inc. 06 20 2000					
Formerly					
Individual General Partnership Limited Partnership X Corporation Association					
Other					
X Citizenship/State of Incorporation/Organization Utah					
Receiving Party  Mark if additional names of receiving parties attached					
Name Bausch & Lomb Surgical, Inc.					
DBA/AKA/TA					
DDA/ANA IA					
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 assignment and the receiving party is not domiciled in the United States, an					
Corporation Association appointment of a domestic					
Other Control of the representative should be attached.  (Designation must be a separate document from Assignment.)					
X Citizenship/State of Incorporation/Organization Delaware					
00 ETBN1: 00000184 921/67 (528/350   FOR OFFICE USE ONLY					
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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

FORM PTO-1 Expires 06/30/99 OMB 0651-0027	618B	Page 2	U.S. Department of Commerce Patent and Trademark Office TRADEMARK		
	epresentative Name a	nd Address Enter for the first	Receiving Party only.		
Name [					
Address (line 1)					
Address (line 2)					
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Address (line 4)					
Correspond	ent Name and Addres	S Area Code and Telephone Number	716-338-8905		
Name	Jon O. Webster				
Address (line 1)	One Bausch & Lo	omb Place			
	Rochester, New	Vort. 1/60/			
Address (line 2)	Rochester, New	10TK 14004			
Address (line 3)					
Address (line 4)					
Pages	Enter the total number of including any attachmen	pages of the attached conveyance ts.	document # 5		
Enter either the	Application Number(s Trademark Application Number	) or Registration Number(s) or the Registration Number (DO NOT ENTER I	Mark if additional numbers attached  BOTH numbers for the same property).  istration Number(s)		
Trad	lemark Application Numb	See See	Attached Schedule		
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(Enter for p	ayment by deposit account or if	additional fees can be charged to the account. Deposit Account Number:	# 02-1427		
		Authorization to charge additional fee	s: Yes X No		
Statement a	nd 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 flocument. Charges to deposit account are authorized, as indicated herein.					
	O. Webster	On O, be	Lt 9/25/00		
Name	of Person Signing	Signature	Date Signed		

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Reg. # 2237516	Reg. #	<b>Reg.</b> # 2309186	Reg. # 2185887	Reg. # 2224768	Reg. # 2224767	Reg. # 2050811	Reg. # 2188334
App. Dt 4/28/97	App. Dt 4/28/97	App. Dt 12/3/98	App. Dt 7/31/97	App. Dt 4/28/97	App. Dt 4/28/97	App. Dt 4/29/96	<u>App. Dt</u> 10/18/96
App. # 75/282350	App. # 75/282348	<u>App. #</u> 75/598606	App. # 75/333759	App. # 75/281920	App. # 75/281919	App. # 75/095856	App.# 75/183599
Reg. Owner ORBTEK, INC.	Reg. Owner ORBTEK, INC.	Reg. Owner ORBTEK, INC.	Reg. Owner ORBTEK, INC.	Reg. Owner ORBTEK, INC.	Reg. Owner ORBTEK, INC.	Reg. Owner ORBTEK, INC.	Reg. Owner ORBTEK, INC.
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Mark: <u>ID</u> 5778	Mark: <u>ID</u> 5785	Mark: <u>ID</u> 5781	Mark: <u>ID</u> 5774	Mark: <u>ID</u> 5782	Mark:	ADEMARK	Mark: 5776
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II.         Reg. Dr.           Mork:         FITSCAN         Country         Classes         Reg. Owner         AID. #         AID. II.         Reg. II.           Mork:         FITSCAN         Classes         Reg. Owner         AID. #         AID. II.         Reg. II.           Mork:         FITSCAN         Country         ORBTER, INC.         75/598/606         12/3/98         230/9186         1/18/00           Mork:         FITSCAN BEIGN         Reg. Owner         AID. #         AID. II.         Reg. II.         Reg. II.           Mork:         Inted States         9         ORBTER, INC.         75/281920         4/28/97         2224/56         2/16/99           Mork:         Mork:         Mork:         AID. #         AID. III.         Reg. #         Reg. II.           Mork:         Mork:         AID. #         AID. #         AID. #         Reg. II.</th> <th>  Country   Country   Classes   Reg. Owner   Ann.#   Ann. Dr. Dr.   Ann. Dr.</th>	Mork:         DESIGNARIOR         Reg. 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	App.# 75/095879	App.# 75/108706	App.# 75/598607	App. # 75/625385
	Reg. Owner ORBTEK, INC.	Reg. Owner ORBTEK, INC.	Reg. Owner ORBTEK, INC.	Reg. Owner ORBTEK, INC.
d by mark	IGN Classes 10	SIGN Classes 9	Classes 9	Classes 9
TM Rights (Grouped by mark)	ORBTEK DESIGN  Country United States	PACSCAN DESIGN  Country United States	RAYSCAN Country United States	W.A.V.E.  Country United States
LM	Mark: <u><b>ID</b></u> 5775	Mark: <u><b>D</b></u> 5780	Mark: 1D 5787	Mark: 1D 5783

### State of Delaware

## 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.

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CHAMPAS COLUMN AS A COLUMN AS

Edward J. Freel, Secretary of State

AUTHENTICATION: 0685869

DATE: 09-20-00

15:12

#### 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) Orbiek, Inc., a Utab corporation ("Orbiek"); and
- (b) Bausch & Lomb Surgical, Inc., a Delaware corporation ("B&L Surgical")

SECOND: An Agreement and Plan of Marger has been approved, adopted, carrified, executed and acknowledged by Orbitak and B&L Surgical in assordance with the provisions of subsection (c) of Section 252 of the General Corporation Law of the State of Deleware.

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 DELAMARE SECRETARY OF STATE DIVISION OF CORPORATIONS FILED 09:00 AM U6/22/2000 001318048 - 2089230

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EIGHTH: The authorized capital stock of Orbtek is

- (a) 30,000,000 shares of Common Stock, no par value,
- (b) 1.214.286 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 20th day of June, 2000.

BAUSCH & LOMB SURGICAL, INC.

By:

kan S. Edstrom, President

TOTAL P.03