

Señora Directora
DIRECCION DE NUEVAS CREACIONES
SUPERINTENDENCIA DE INDUSTRIA Y
Bogotá, D.C.

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 10-119001- -00002-0000

Fecha: 2011-02-01 16:39:48 Dep. 2020 DIR.NUEVASCR
Tra. 11 PATENTEIYII Eve: 378 FASENACIONALI
Act. 444 RESPUESTAREQUE Folios: 14

**Re.: Expediente No. 10 119.001
Fase Nacional de Solicitud
de Patente PCT a nombre de
SYNTHES GMBH
Código 011 – 378 - 444**

En relación con la solicitud contenida en el expediente de la referencia y, en particular, para dar respuesta a su requerimiento contenido en el Oficio No. 15746, dentro del término conferido, por medio del presente escrito me permito manifestarle:

1. Acompaño copia certificada del documento en que consta la cesión del derecho a la patente del Inventor

- Amir M. Matityahu

a favor de la sociedad Anthem Orthopaedics LLC, debidamente firmado, autenticado por Notario Público y legalizado por Apostilla.

2. Acompaño copia certificada del documento en que consta la cesión del derecho a la patente de la sociedad Anthem Orthopaedics LLC a favor de la sociedad Synthes USA, LLC debidamente firmado, autenticado por Notario Público y legalizado por Apostilla.

3. Acompaño copia certificada del documento en que consta la cesión del derecho a la patente de la sociedad Synthes USA, LLC a favor de la sociedad solicitante Synthes GmbH, debidamente firmado, autenticado por Notario Público y legalizado por Apostilla.

Le solicito se sirva agregar este escrito y sus anexos al expediente y continuar con el trámite de la solicitud.

De Usted Atentamente,

GERMAN CASTILLO GRAU

T.P. No. 2.978 del C.S.J.

Apostille

(Convention de La Haye du 5 Octobre 1961)

3

1. Country: **United States of America**

This public document

2. has been signed by **Norman Goodman**

3. acting in the capacity of **County Clerk**

4. bears the seal/stamp of the county of **New York**

Certified

5. At New York, New York 6. the 19th day of January 2011

7. by Special Deputy Secretary of State, State of New York

8. No. NYC-2357A

9. Seal/Stamp

10. Signature



Sandra J. Tallman

Sandra J. Tallman
Special Deputy Secretary of State

h9

VERIFICATION

State of New York)

ss:

County of New York)

I verify that the attached document identified as:

Assignment

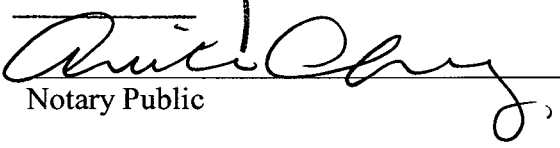
is a true copy of the document as executed on **May 5, 2008** by **Amir M. MATITYAHU** to **Anthem Orthopaedics LLC** of United States and corresponding foreign rights in connection with **U.S. Provisional Patent Application Serial No. 61/045,500** filed on **April 16, 2008**.



Yuliya Artsishenskaya

Subscribed and sworn to before me this 14th day of January of 2011.

COUNTY
CLERK



Notary Public

ANITA CHANG
Notary Public, State of New York
No. 02CH6220245
Qualified in New York County
Commission Expires April 12, 2014

NEW YORK
COUNTY

State of New York }
County of New York, } ss.:

826702

Form 1

I, NORMAN GOODMAN, County Clerk and Clerk of the Supreme Court of the State of New York, in and for the County of New York, a Court of Record, having by law a seal,
DO HEREBY CERTIFY pursuant to the Executive Law of the State of New York, that

Anita Chang

whose name is subscribed to the annexed affidavit, deposition, certificate of acknowledgment or proof, was at the time of taking the same a NOTARY PUBLIC in and for the State of New York duly commissioned, sworn and qualified to act as such; that pursuant to law, a commission or a certificate of his official character, with his autograph signature has been filed in my office; that at the time of taking such proof, acknowledgment or oath, he was duly authorized to take the same; that I am well acquainted with the handwriting of such NOTARY PUBLIC or have compared the signature on the annexed instrument with his autograph signature deposited in my office, and I believe that such signature is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand affixed my official seal this

JAN 19 2011

FEE PAID \$3.00

Norman Goodman
County Clerk and Clerk of the Supreme Court, New York County

ANITA CHANG
Notary Public State of New York
No. 05048550342
Qualified in New York County
Commission Expires April 15, 2014

ASSIGNMENT

WHEREAS I, Amir M. Matityahu residing at 191 Pine Lane, Los Altos, California 94022 have invented certain new and useful improvements in *APPARATUS AND METHOD FOR USE WITH FRACTURE TABLE TO REPOSITION BONE PORTIONS*, for which invention I have executed a United States provisional patent application, filed on April 16, 2008 and bearing Serial No. 61/045,500; which invention is fully described in the specification pertaining to said application; and

Whereas, ANTHEM ORTHOPAEDICS LLC (hereinafter "Assignee"), a corporation of the State of California, having a place of business at 191 Pine Lane, Los Altos CA 94022, is desirous of acquiring the entire right, title, and interest in and to said invention, said application, and the letters patent to be obtained therefor;

Now, therefore, for and in consideration of One Dollar and other good and valuable considerations, to me in hand paid, the receipt and sufficiency whereof is hereby acknowledged, I have sold, assigned, and set over and by these presents do hereby sell, assign, and set over unto the said assignee and said assignee's legal representatives, successors and assigns, the entire right, title, and interest in and to said invention, said application, and the Letters Patent, both foreign and domestic, that may or shall issue thereon; and I do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the above-mentioned assignee agreeably with the terms of this assignment.

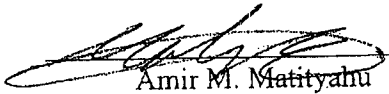
I hereby authorize the above-mentioned assignee or its legal representative to insert in this instrument the filing date and serial number of our said application or any other information that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Upon said consideration, I convey to said assignee the right to make application in its own behalf for protection of said invention in countries foreign to the United States and where expedient to claim under the International Convention or other international arrangement for any such application the date of the said United States application (or other application if any there be) in priority to other applications; and I do hereby covenant and agree with the said assignee that I will not execute any writing or do any act whatsoever conflicting with these presents, and

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that I will at any time upon request, without further or additional consideration, but at the expense of the said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional renewal, reissued or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or chose in action accruing as a result of such application or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of both parties.

IN WITNESS WHEREOF, the said Inventor has executed and delivered this instrument to said Assignee this 5th day of May, 2008,


Amir M. Matityahu

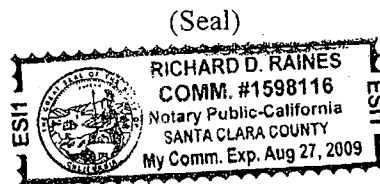
State of California)
) ss.
County of Santa Clara)

On this 5 day of MAY, in the year 2008, before me, Richard D. Raines, Notary Public of the State of California in the County of Santa Clara, personally appeared Amir M. Matityahu proved to me on the basis of satisfactory evidence to be the person(s) whose name is subscribed to the within instrument, and acknowledged that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Richard D. Raines

4849-9277-8242\1



52

Apostille

(Convention de La Haye du 5 Octobre 1961)

1. Country: **United States of America**

This public document

2. has been signed by **Norman Goodman**

3. acting in the capacity of **County Clerk**

4. bears the seal/stamp of the county of **New York**

Certified

5. At New York, New York 6. the 19th day of January 2011

7. by Special Deputy Secretary of State, State of New York

8. No. NYC-2356A

9. Seal/Stamp

10. Signature



Sandra J. Tallman

Sandra J. Tallman
Special Deputy Secretary of State

VERIFICATION

State of New York)

ss:

County of New York)

I verify that the attached document identified as:

Assignment

is a true copy of the document as executed on **March 24, 2009** by **Anthem Orthopaedics LLC** to **Synthes USA, LLC** in all geographic locations in connection with **U.S. Provisional Patent Application Serial No. 61/045,500** filed on **April 16, 2008**.



Yul'ya Artsisheuskaya

Subscribed and sworn to before me this 14th day of January of 2011.



Notary Public

ANITA CHANG
Notary Public, State of New York
No. 02CH6220245
Qualified in New York County
Commission Expires April 12, 2014
54

NEW YORK
COUNTY

826703

Form 1

State of New York
County of New York, } ss.:

I, NORMAN GOODMAN, County Clerk and Clerk of the Supreme Court of the State of New York, in and for the County of New York, a Court of Record, having by law a seal, DO HEREBY CERTIFY pursuant to the Executive Law of the State of New York, that

Anita Chang
whose name is subscribed to the annexed affidavit, deposition, certificate of acknowledgment or proof, was at the time of taking the same a NOTARY PUBLIC in and for the State of New York duly commissioned, sworn and qualified to act as such; that pursuant to law, a commission or a certificate of his official character, with his autograph signature has been filed in my office; that at the time of taking such proof, acknowledgment or oath, he was duly authorized to take the same; that I am well acquainted with the handwriting of such NOTARY PUBLIC or have compared the signature on the annexed instrument with his autograph signature deposited in my office, and I believe that such signature is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand affixed my official seal this

JAN 19 2011

FEE PAID \$3.00

Norman Goodman

County Clerk and Clerk of the Supreme Court, New York County

ANITA CHANG
Notary Public State of New York
No. 03CH625042
Qualified in New York County
Commission Expires April 15, 2014

ASSIGNMENT

WHEREAS, Anthem Orthopaedics LLC, ASSIGNOR, having a place of business at 191 Pine Lane, Los Altos, California 94022, a Californian Limited Liability Company, has all right, title and interest in the invention disclosed, described and/or claimed in United States Provisional Patent Appln. Serial No. 61/045,500, which was filed with the United States Patent and Trademark Office on April 16, 2008, entitled Apparatus and Method for Use With Fracture Table to Reposition Bone Portions and all inventions described, disclosed or claimed therein (hereinafter "the Invention"), which is identified by Fay Kaplun & Marcin, LLP Attorney Docket No. 10139/17301 (01028-08PUS1).

AND WHEREAS, Synthes USA, LLC, ASSIGNEE, a Delaware Limited Liability Company organized under the laws of the State of Delaware and having a place of business at 1302 Wrights Lane East, West Chester, PA 19380 is desirous of obtaining our entire right, title and interest in, to and under all the invention(s) as described, disclosed and/or claimed in the above-identified application:

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the Invention, and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for the Invention in any country, together with the right to file such applications and the right to claim for the same the priority rights derived from the application under the International Convention for the Protection of Industrial Property, the Patent Laws of the United States or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for the Invention in any country and all extensions, renewals and reissues thereof; including all applications for industrial property, all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof.

AND WE HEREBY authorize and request said ASSIGNEE, its successors, legal representatives, or assigns to insert hereinafter when known the application number and filing date of any international, regional, or national application already filed or filed hereafter for the Invention.

Country: _____ Application No. _____ Filing Date _____

AND WE HEREBY authorize and request the Commissioner for Patents and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting the Invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for the Invention in all countries.

AND ASSIGNOR HEREBY further covenants and agrees that it has read this Assignment, knows and understands its contents, and comprehends and agrees to all of its terms, conditions and meanings and their significance.

IN TESTIMONY WHEREOF, the person executing this Assignment in a representative capacity on behalf of the ASSIGNOR warrants that he is fully authorized and empowered to do so and sets his hand and seal the day and year set with his signature.

ASSIGNOR: Anthem Orthopaedics LLC

Anne Matityahu

Authorized to sign on behalf of Assignor Anthem Orthopaedics LLC

Signature: [Signature]

Position/Title: President, Anthem Orthopaedics, LLC

Address: 191 Pine Lane, Los Altos, California 94022

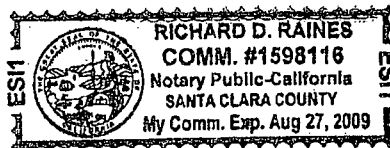
Date: 3/24/09

State of CA)
County of Santa Clara) SS:

On 3-24-09, before me, Richard D. Raines, Notary Public, personally appeared Anne Matityahu personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

[Signature]



ASSIGNEE: Synthes USA, LLC

David J. Klann Authorized to sign on behalf of Synthes USA, LLC

Signature: [Signature]

Position/Title: Patent Counsel

Address: 1302 Wrights Lane East
West Chester, Pennsylvania 19380

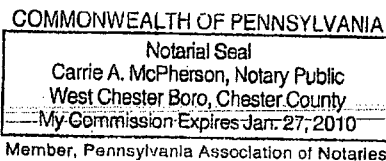
Date: March 30, 2009

Commonwealth of Pennsylvania)
County of Chester) SS:

On March 30, 2009, before me, Carrie A. McPherson, Notary Public, personally appeared David J. Klann, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

[Signature]



Apostille

(Convention de La Haye du 5 Octobre 1961)

1. Country: **United States of America**

This public document

2. has been signed by **Norman Goodman**

3. acting in the capacity of **County Clerk**

4. bears the seal/stamp of the county of **New York**

Certified

5. At New York, New York 6. the 19th day of January 2011

7. by Special Deputy Secretary of State, State of New York

8. No. NYC-2358A

9. Seal/Stamp

10. Signature



Sandra J. Tallman

Sandra J. Tallman
Special Deputy Secretary of State

VERIFICATION

State of New York)

SS:

County of New York)

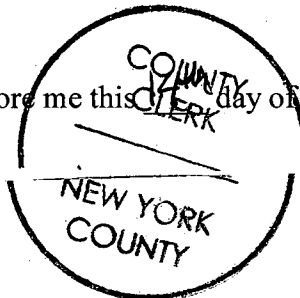
I verify that the attached document identified as:

Assignment

is a true copy of the document as executed on March 30, 2009 by **Synthes USA, LLC** to **Synthes GmbH** in all geographic locations, except Canada and Unites States of America, in connection with **U.S. Provisional Patent Application Serial No. 61/045,500** filed on **April 16, 2008**.


Yuliya Artsisheuskaya

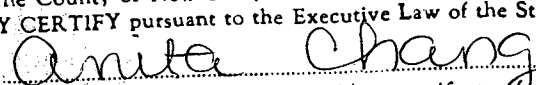
Subscribed and sworn to before me this 19 day of January of 2011.



State of New York }
County of New York, } ss.:

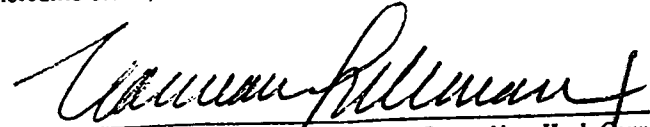
826701

I, NORMAN GOODMAN, County Clerk and Clerk of the Supreme Court of the State of New York, in and for the County of New York, a Court of Record, having by law a seal, DO HEREBY CERTIFY pursuant to the Executive Law of the State of New York, that


whose name is subscribed to the annexed affidavit, deposition, certificate of acknowledgment or proof, was at the time of taking the same a NOTARY PUBLIC in and for the State of New York duly commissioned, sworn and qualified to act as such; that pursuant to law, a commission or a certificate of his official character, with his autograph signature has been filed in my office; that at the time of taking such proof, acknowledgement or oath, he was duly authorized to take the same; that I am well acquainted with the handwriting of such NOTARY PUBLIC or have compared the signature on the annexed instrument with his autograph signature deposited in my office, and I believe that such signature is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand affixed my official seal this
JAN 19 2011

FEE PAID \$3.00


County Clerk and Clerk of the Supreme Court, New York County

ASSIGNMENT

WHEREAS, **Synthes USA, LLC**, ASSIGNOR, a Delaware Limited Liability Company organized under the laws of the State of Delaware and having a place of business at 1302 Wrights Lane East, West Chester, PA 19380, has all right, title and interest in the invention disclosed, described and/or claimed in United States Provisional Patent Appln. Serial No. **61/045,500**, which was filed with the United States Patent and Trademark Office on **April 16, 2008**, entitled **Apparatus and Method for Use With Fracture Table to Reposition Bone Portions** and all inventions described, disclosed or claimed therein (hereinafter "the Invention"), which is identified by (Fay Kaplun & Marcin, LLP) Attorney Docket No. 10139/17301 (01028-08PUS1).

AND WHEREAS, **Synthes GmbH**, ASSIGNEE, a Swiss Company organized under the laws of Switzerland and having a place of business at Eimattstrasse 3, CH-4436 Oberdorf, Switzerland, is desirous of obtaining the entire right, title and interest to and under the Invention, including the right to bring an action and recover damages for past infringements, if any, in all geographic locations except the United States and its possessions and territories, Canada and its possessions and territories, the Bahamas, and Bermuda (hereinafter "the Excluded Geographic Locations").

AND WHEREAS, ASSIGNOR, is desirous of assigning its entire right, title and interest to the Invention in all geographic locations except the Excluded Geographic Locations to the ASSIGNEE, including the right to bring an action and recover damages for past infringement, if any.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the said ASSIGNOR, has sold, assigned, transferred and set over, and does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, all ASSIGNOR'S rights, title and interest in the Invention in all geographic locations except the Excluded Geographic Locations including the right to bring an action and recover damages for past infringement, if any; and all rights, title and interest in any corresponding patent applications and all divisions, renewals and continuations thereof, and all Patents which may be granted thereon and all reissues and extensions thereof; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for the Invention in all geographic locations except the Excluded Geographic Locations, and all extensions, renewals and reissues thereof.

AND ASSIGNOR HEREBY authorizes and requests said ASSIGNEE, its successors, legal representatives, or assigns to insert hereinafter when known the application number and filing date of any international, regional, or national application already filed or filed hereafter for the Invention.

Country: _____ Application No. _____ Filing Date _____

NOW, THEREFORE, ASSIGNEE shall obtain all said rights, title and interest in the Invention in all geographic locations except the Excluded Geographic Locations.

AND ASSIGNOR HEREBY covenants and agrees that it has not executed, and will not execute, any agreement in conflict herewith.

AND ASSIGNOR HEREBY further covenants and agrees that it will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to it respecting the Invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for the Invention in all geographic locations except the Excluded Geographic Locations.

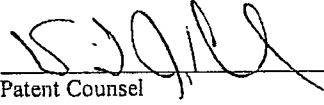
AND ASSIGNOR HEREBY further covenants and agrees that it has read this Assignment, knows and understands its contents, and comprehends and agrees to all of its terms, conditions and meanings and their significance.

IN TESTIMONY WHEREOF, the person executing this Assignment in a representative capacity on behalf of the ASSIGNOR warrants that he is fully authorized and empowered to do so and signs his name on the date indicated below.

14

ASSIGNOR: **Synthes USA, LLC**

David J. Klann Authorized to sign on behalf of Synthes USA, LLC

Signature: 

Position/Title: Patent Counsel

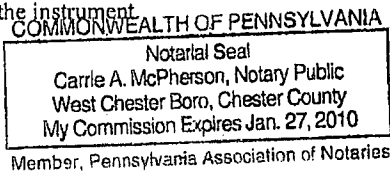
Address: 1302 Wrights Lane East
West Chester, Pennsylvania 19380

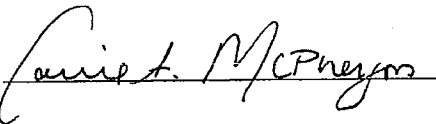
Date: March 30, 2009

Commonwealth of Pennsylvania)
) SS:
County of Chester)

On March 30, 2009, before me, Carrie A. McPherson, Notary Public, personally appeared David J. Klann, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

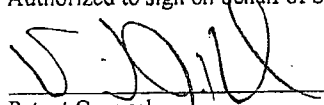
WITNESS my hand and official seal





ASSIGNEE: **Synthes GmbH**

David J. Klann Authorized to sign on behalf of Synthes GmbH

Signature: 

Position/Title: Patent Counsel

Address: Eimattstrasse 3
CH-4436 Oberdorf
Switzerland

Date: March 30, 2009

Commonwealth of Pennsylvania)
) SS:
County of Chester)

On March 30, 2009, before me, Carrie A. McPherson, Notary Public, personally appeared David J. Klann, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

