

**Señora Jefe
DIVISIÓN DE NUEVAS CREACIONES
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
Bogotá, D.C.**

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SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
Rad: 06-042684- -00001-0000
FE: 2005-07-26 08:21:42 Dep. 2020 NUECREACIONI
Trz. 11 PATENTEVI
Ers. 376 FASENACIONALI
Act 444 RESPUESTAREQUE Folios: 15

**Re.: Expediente No. 06 42.684
Fase Nacional 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 último requerimiento hecho dentro del mismo, dentro del término conferido, por medio del presente escrito me permito manifestarle:

1. Acompaño copia certificada del documento donde consta la cesión del derecho a la patente de los Inventores:

- Christopher J. Ryan
- Thomas R. Keyer
- Martin Walther

a favor de la sociedad Synthes (U.S.A.), debidamente firmado, autenticado por Notario Público y legalizado por Apostilla.

2. Acompaño copia certificada del documento donde consta la cesión del derecho a la patente de la sociedad Synthes (U.S.A.) a favor de la sociedad solicitante Synthes GmbH, debidamente firmado, autenticado por Notario Público y legalizado por Apostilla.

3. Acompaño copia de la Forma PCT/IB/306 remitida el 17 de Febrero de 2006 por medio de la cual la Oficina Internacional notifica la inscripción del Cambio de Nombre del solicitante por el de Synthes GmbH, respecto de la solicitud internacional PCT/US2004/033369 del 8 de Octubre de 2004, para todos los Estados designados, excepto Canadá y Estados Unidos.

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. 2978 del C.S.J.

Apostille

(Convention de La Haye du 5 Octobre 1951)

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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 02nd day of June 2008

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

8. No. NYC-10197285B

9. Seal/Stamp

10. Signature



James Bizzarri
Special Deputy Secretary of State

State of New York
County of New York

NEW YORK
COUNTY

498998

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

Norman Goodman 47
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

FEE PAID \$3.00

MAY 26 2005

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

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 December 2, 2003 by Christopher J. Ryan, Thomas R. Keyer and Martin Walther to SYNTHES (U.S.A.) of United States and corresponding foreign rights in connection with U.S. Serial No. 10/684,351 filed October 9, 2003.

Corinne Kopp
Corinne Kopp

**COUNTY
CLERK**

Subscribed and sworn to before me this 19th day of

April, 2006.

Notary Public

JAMAL PARKER¹
Notary Public, State of New York
No. 24-01PA5042838
Qualified in Kings County
Certificate Filed in New York County
Commission Expires June 5, 2006

JOINT

ASSIGNMENT

WHEREAS, WE, CHRISTOPHER J. RYAN; THOMAS R. KEYER; AND MARTIN WALTHER, ASSIGNORS, citizens of the United States, residing at 1221 Morstein Road, West Chester, Pennsylvania 19380; 338 Cashel Court, Aston, Pennsylvania 19014; and 300 Anglesey Terrace, West Chester, Pennsylvania 19380, are the inventors of the invention in LINKING TRANSCONNECTOR FOR COUPLING SPINAL RODS for which we have executed an application for a Patent of the United States

- ☐ which is executed on ☐ even date herewith or ☐
- ☒ which is identified by Pennie & Edmonds LLP docket no. 8932-796-999
- ☐ which was filed on , Application No.
- ☒ We hereby authorize and request our attorney, Brian M. Rothery, of Pennie & Edmonds, LLP, to insert here in parentheses (Application number, _____ filed _____) the filing date and application number of said application when known.

and WHEREAS, SYNTHES, U.S.A., ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents 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 said invention, and the said United States application and 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 all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, 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 said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence 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 said 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 said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date 02 December, 2003 Christopher J. Ryan L.S.
(Christopher J. Ryan)

Date 12/2/03, 2003 Thomas R. Keyer L.S.
(Thomas R. Keyer)

Date 12/2/03, 2003 Martin Walther L.S.
(Martin Walther)

State of Pennsylvania
County of Chester) SS.:

On December 2, 2003, before me, Katherine C. Oree, Notary Public, personally appeared Christopher J. Ryan, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their 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

Katherine C. Oree

Notarial Seal
Katherine C. Oree, Notary Public
East Goshen Twp., Chester County
My Commission Expires June 25, 2006
Member, Pennsylvania Association Of Notaries

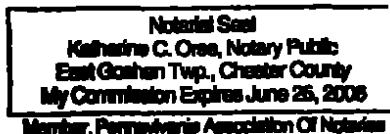
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State of Pennsylvania
County of Chester) SS.:

On December 2, 2003, before me, Katherine C. Orse Notary Public, personally appeared Thomas R. Kover, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their 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

Katherine C. Orse

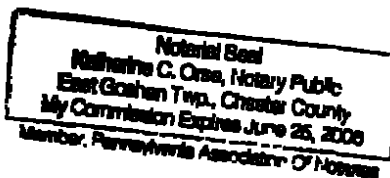


State of Pennsylvania,
County of Chester) SS.:

On December 2, 2003, before me, Katherine C. Orse Notary Public, personally appeared Martin Walther, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their 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

Katherine C. Orse



Apostille

(Convention de La Haye du 5 Octobre 1961)

5-30
\$

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 11th day of July 2006

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

8. No. NYC-10202304B

9. Seal/Stamp 10. Signature



James Bizzarri
Special Deputy Secretary of State

**NEW YORK
COUNTY**

504905 *Form 1*

State of New York
County of New York,

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

Samuel Parker

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

JUN 21 2006

FEE PAID \$3.00

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

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 24, 2006 by
SYNTHES U.S.A to **SYNTHES GmbH** and **HFSC COMPANY** of United States
 and corresponding foreign rights in connection with U.S. Serial
 No. 10/684,351 filed October 9, 2003.

**COUNTY
 CLERK**

Courtney Manning
 Courtney Manning

Subscribed and sworn to before me this 30th day of

May, 2006.

[Signature]
 Notary Public

JAMAL PARKER
 Notary Public, State of New York
 No. 24-01945042838
 Qualified in Kings County
 Certificate Filed in New York County
 Commission Expires June 5, 2006

ASSIGNMENT

WHEREAS, Synthes (USA), ASSIGNOR, a Partnership organized under the laws of the Commonwealth of Pennsylvania and having a place of business at 1302 Wrights Lane East, West Chester, PA 19380, has all right, title and interest in United States Patent Application No. 10/684,351, filed in the U.S. Patent and Trademark Office on October 9, 2003 and entitled "Linking Transconnector For Coupling Spinal Rods," and all inventions described, disclosed or claimed therein (hereinafter "the Invention");

AND WHEREAS, Synthes GmbH, ASSIGNEE, having a place of business at Ebnatstrasse 3, 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, HFBC Company, ASSIGNEE, a Partnership organized under the laws of the Commonwealth of Pennsylvania and having a place of business at 1302 Wrights Lane East, West Chester, PA 19380, is desirous of obtaining the entire right, title and interest to the Invention, including the right to bring an action and recover damages for past infringement, if any, in the Excluded Geographic Locations;

AND WHEREAS, ASSIGNOR, is desirous of assigning its entire right, title and interest to the Invention to the ASSIGNEES, 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 ASSIGNEES, their successors, legal representatives and assigns, all ASSIGNOR'S rights, title and interest in the Invention 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 renewals 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 said Invention in any country, and all extensions, renewals and renewals thereof;

NOW, THEREFORE, Synthes GmbH shall obtain all said rights, title and interest in the Invention in all geographic regions except the Excluded Geographic Locations; and HFBC Company shall obtain all said rights, title, and interest in the Invention in the Excluded Geographic Locations;

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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 ASSIGNEES, their successors, legal representatives and assigns, any facts known to it respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and renewal applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEES, their successors, legal representatives and assigns, to obtain and enforce proper protection for said invention.

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/she is fully authorized and empowered to do so and sets his/her hand and seal the day and year set with his/her signature.

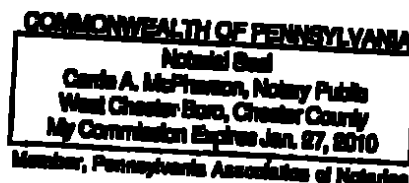
ASSIGNOR: Synthes (USA)
Robert M. Rauker Authorized to sign on behalf of Synthes (USA)
Signature: Robert M. Rauker
Position/Title: Chief Patent Counsel
Address: 1302 Wrights Lane East
 West Chester, Pennsylvania 19380
Date: May 24, 2006

Commonwealth of Pennsylvania)
) ss.:
County of Chester)

On May 24, 2006, before me, Carrie A. McPherson, Notary Public, personally appeared Robert M. Rauker, 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

Carrie A. McPherson



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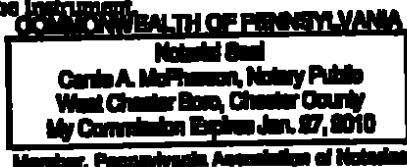
ASSIGNEE: Syntex GmbH
Robert M. Rauker Authorized to sign on behalf of Syntex GmbH
Signature: Robert M Rauker
Position/Title: Chief Patent Counsel
Address: 1302 Wrights Lane East
West Chester, Pennsylvania 19380
Date: May 24, 2006

Commonwealth of Pennsylvania)
County of Chester) SS:

On May 24, 2006, before me, Carrie A. McPherson, Notary Public, personally appeared Robert M. Rauker, 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

Carrie A. McPherson



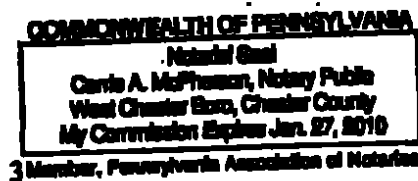
ASSIGNEE: HFBC Company
Robert M. Rauker Authorized to sign on behalf of HFBC Company
Signature: Robert M Rauker
Position/Title: Chief Patent Counsel
Address: 1302 Wrights Lane East
West Chester, Pennsylvania 19380
Date: May 24, 2006

Commonwealth of Pennsylvania)
County of Chester) SS:

On May 24, 2006, before me, Carrie A. McPherson, Notary Public, personally appeared Robert M. Rauker, 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

Carrie A. McPherson



PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL BUREAU

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

To:

FEB 28 2006

ROTHERY, Brian, M. *G. TUMA*
Jones Day
222 East 41st Street
New York, NY 10017-6702
United States of America

Date of mailing (day/month/year) 17 February 2006 (17.02.2006)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 8932-796-228	
International application No. PCT/US2004/033369	International filing date (day/month/year) 08 October 2004 (08.10.2004)

1. The following indications appeared on record concerning:	
☒ the applicant	☐ the inventor ☐ the agent ☐ the common representative
Name and Address	State of Nationality
	State of Residence
	Telephone No.
	Facsimile No.
2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:	
☒ the person	☐ the name ☐ the address ☐ the nationality ☐ the residence
Name and Address SYNTHES GMBH Elmastrasse 3 CH-4436 Oberdorf Switzerland	State of Nationality CH
	State of Residence CH
	Telephone No.
	Facsimile No.
3. Further observations, if necessary: The person in box 2 is now applicant for all designated States except CA and US.	
4. A copy of this notification has been sent to:	
☒ the receiving Office	☒ the designated Offices concerned
☐ the International Searching Authority	☐ the elected Offices concerned
☐ the International Preliminary Examining Authority	☐ other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 338.89.65	Authorized officer WANG, TAO Telephone No. (41-22) 338 8117
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PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL BUREAU

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

To:

ROTHERY, Brian, M.
Jonas Day
222 East 41st Street
New York, NY 10017-6702
United States of America

FEB 2 8 2006

Date of mailing (day/month/year) 17 February 2006 (17.02.2006)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 8932-796-228	
International application No. PCT/US2004/033369	International filing date (day/month/year) 08 October 2004 (08.10.2004)

1. The following indications appeared on record concerning: ☒ the applicant ☐ the inventor ☐ the agent ☐ the common representative	
Name and Address	State of Nationality State of Residence
	Telephone No.
	Facsimile No.
	Teleprinter No.
2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning: ☒ the person ☐ the name ☐ the address ☐ the nationality ☐ the residence	
Name and Address HFSC COMPANY 1302 Wrights Lane East West Chester, PA 19380 United States of America	State of Nationality State of Residence US US
	Telephone No.
	Facsimile No.
	Teleprinter No.
3. Further observations, if necessary: The person in box 2 is now applicant for CA only.	
4. A copy of this notification has been sent to: ☒ the receiving Office ☒ the designated Offices concerned ☐ the International Searching Authority ☐ the elected Offices concerned ☐ the International Preliminary Examining Authority ☐ other:	

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 338.89.85	Authorized officer WANG, TAO Telephone No. (41-22) 338 8117
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REPUBLICA DE COLOMBIA
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

Folio 57

2020
Bogotá D.C.,

Doctor(a)
CASTILLO GRAU GERMAN
Apoderado(a) y/o Representante de
SYNTHEG GMBH

REFERENCIA	Radicación No.	06 42684
	Solicitud internacional	US2004/033369
	Fecha inicio fase nacional	09/05/2006
	Trámite	11
	Evento	378
	Actuación	416
	Oficio No.	3404
	Folios	1

Teniendo en cuenta que la solicitud de privilegio de patente que se tramita bajo el expediente indicado en la referencia, reúne los requisitos de forma establecidos en la Decisión 486 de la Comisión de la Comunidad Andina, el Tratado de Cooperación en Materia de Patentes (PCT), el Reglamento y la Circular Única de la Superintendencia de Industria y Comercio, se envía el extracto de la solicitud a la Oficina de Comunicaciones para efecto de su publicación en la Gaceta de Propiedad Industrial.

Cúmplase
Dado en Bogotá DC,

31 JUL 2007

ALIX CARMENZA CESPEDES DE VERGEL
Jefe de la división de Nuevas Creaciones

adpa10