

Señores
DIVISIÓN DE NUEVAS CREACIONES
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
Bogotá, D.C.

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
Rad 06-118604-00002-0000
Fec. 2007-01-17 09:18:46 Dep. 2020 NUECREACIONES
Tra 11 PATENTEIYI
Eve. 378 FASENACIONALI
Art 444 RESPUESTA FOLIO 13

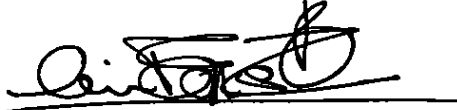
Re.: Código 0011-378-444
Expediente No. 06-118.604
Fase Nacional de Solicitud
de Patente PCT
SYNTHES GmbH

En relación con el expediente de la referencia y dando cumplimiento a la última providencia recaída sobre este asunto por medio del presente escrito me permito manifestarles lo siguiente:

1. Adjunto una copia auténtica de la copia certificada y legalizada del documento mediante el cual el inventor STANLEY J. KMEC cedió sus derechos de invención a la sociedad SYNTHES (U.S.A.).
2. Acompaño una copia auténtica de la copia certificada y legalizada del documento que acredita la cesión de la sociedad SYNTHES (U.S.A.) a la sociedad SYNTHES GmbH.

Renuncio al término faltante de traslado, y les solicito ordenar la publicación del extracto.

De Ustedes Atentamente,



LUIS FELIPE CASTILLO GIBSONE
T.P. No. 68.995 del C.S.J.

Apostille

(Convention de La Haye du 5 Octobre 1961)

1. Country: **United States of America**
This public document
2. has been signed by **Nancy T. Sunshine**
3. acting in the capacity of **County Clerk**
4. bears the seal/stamp of the county of **Kings**

Certified

5. At New York, New York 6. the 28th day of November 2006
7. by Special Deputy Secretary of State, State of New York
8. No. NYC-10228120B
9. Seal/Stamp 10. Signature

James Bizzari

James Bizzari
Special Deputy Secretary of State

Como Notario Vainicada del Circulo de
Bogota, hago constar que esta copia
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Bogota D C - Colombia.

16 ENE 2007

GUSTAVO SAMPER RODRIGUEZ
NOTARIO VEINTISEIS

51

EN BLANCO
NOTARIA VEINTISEIS

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GUSTAVO SAMPER RODRIGUEZ
NOTARIO VEINTISEIS

State of New York
County of Kings

3164 Form 1

WILBUR AT SUNSHINE

County, the same being a Court of Record, having a seal. DO HEREBY CERTIFY That

whose name is subscribed to the deposition, certificate of acknowledgment or proof of the
annexed instrument, was at the time taking the same a NOTARY PUBLIC in and for the
State of New York, duly commissioned and sworn and qualified to act as such throughout
the State of New York, that pursuant to law, a commission, or a certificate of his
appointment and qualifications, and his autograph signature, have been filed in my office,
that as such Notary Public he was duly authorized by the laws of the State of New York to
administer oaths and affirmations; to receive and certify the acknowledgment or proof of
deeds, mortgages, powers of attorney and other written instruments for lands, tenements and
hereditaments to be read in evidence or recorded in this State, to protest notes and to take
and certify affidavits and depositions, and 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 believe that the signature is genuine.

NOV 21 2005

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the
said Court and County this 16 day of

Wang J. Sunshine
Clerk

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

Assignment

Courtney Manning
Courtney Manning

Notary Public

16 ENE 2007

JAMAL PARKER
Notary Public, State of New York
No. 01PA8042838
Qualified in Kings County
Certificate Filed in New York County
Commission Expires June 5, 2010

RECORDATION FORM COVER SHEET
PATENTS ONLYAttorney Docket Number
8932-879-999
(708716-999856)Mail Stop Assignment Recordation Services
Director of the United States Patent and Trademark Office
P O. Box 1450
Alexandria, VA 22313-1450

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Stanley J Kmiec, Jr.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3 Nature of conveyance:

☒ Assignment

Merger

Security Agreement

Change of Name

Other

Execution Date: August 9, 2004

2. Name and address of receiving party(ies):

Name: Synthes (U.S.A.)

Address: 1302 Wrights Lane East, West Chester, PA

Country (if other than USA): Zip Code: 19380

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

4. Application number(s) or patent number(s).

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 10/831,569

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

JONES DAY
222 East 41st Street
New York, New York 10017

6. Number of applications and patents involved:

1

7. Total fee (37 CFR 3.41): \$ 40 (per application)
Please charge to the deposit account listed in Section 8

8. Deposit account number:

503013

DO NOT USE THIS SPACE

9. 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.*Jason S Charkow
for Brian M. Rothary46,418
35,340

Name of Person Signing

Reg. No.

Signature

May 24, 2006
Date

Total number of pages including cover sheet:

2

Mail documents to be recorded with required cover sheet information to:
Mail Stop Assignment Recordation Services
Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
Or fax documents to Fax No.: 703-306-5999Como Notario Venticésimo del Circulo de
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16 ENE 2007

GUSTAVO SAMPER RODRIGUEZ
NOTARIO VENTISEIS

ASSIGNMENT

WHEREAS, I, STANLEY J. KMEC, JR., ASSIGNOR, citizen of the United States, residing at 13 Franklin Way, Morgantown, PA 19543, am the inventor of the invention in DEVICE AND METHOD FOR INSERTING, POSITIONING AND REMOVING AN IMPLANT for which I have executed an application for a Patent of the United States

- ☐ which is executed on ☐ even date herewith or ☐
☒ which is identified by Jones Day docket no. 708716-999856 (8932-879)
☒ which was filed on April 23, 2004, Application No. 10/831,569
☐ I hereby authorize and request my attorney, of Jones Day, 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 my 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 me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, 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, my 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 I 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 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 I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me 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, I hereunto set my hand and seal this 9 day of August, 2004

State of Pennsylvania)
County of Chester) ss.

Stanley J. Kmeć Jr. L.S.

On August 9, 2004, before me, Joan Schwaizer, Notary Public, personally appeared Stanley J. Kmeć Jr., 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/she executed the same in his/her authorized capacity, 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

Joan Schwaizer
Notarial Seal
Joan Schwaizer, Notary Public
East Goshen Twp., Chester County
My Commission Expires Oct. 28, 2008
Member, Pennsylvania Association Of Notaries

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Bogotá, hago constar que esta copia
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16 ENE 2007

GUSTAVO SAMPER RODRIGUEZ
NOTARIO VEINTISEIS

NYJD 13357791

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Apostille

(Convention de La Haye du 5 Octobre 1961)

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

This public document

2 has been signed by **Nancy T. Sunshine**

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

4. bears the seal/stamp of the county of **Kings**

Certified

5. At New York, New York 6. the 28th day of November 2006

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

8. No. NYC-10228121B

9. Seal/Stamp

10. Signature



James Bizzarri
Special Deputy Secretary of State

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16 ENE 2007

GUSTAVO SAMPER RODRIGUEZ
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EN BLANCO
NOTARIA VEINTISEIS

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16 ENE 2007

GUSTAVO SAMPER RODRIGUEZ
NOTARIO VEINTISEIS

State of New York
County of Kings

NANCY SUNSHINE

3163 Form 1

I, NANCY SUNSHINE, Clerk of the County of Kings, and also Clerk of the Supreme Court for the said
County, the said being a Court of Record, having a seal, DO HEREBY CERTIFY, That

whose name is subscribed to the deposition, certificate of acknowledgment or proof of the
annexed instrument, was at the time taking the same a NOTARY PUBLIC in and for the
State of New York, duly commissioned and sworn and qualified to act as such throughout
the State of New York, that pursuant to law a commission or a certificate of his
appointment and qualifications, and his autograph signature, have been filed in my office,
that as such Notary Public he was duly authorized by the laws of the State of New York to
administer oaths and affirmations, to receive and certify the acknowledgment or proof of
deeds, mortgages, powers of attorney and other written instruments for lands, tenements and
hereditaments to be read in evidence or recorded in this State, to protest notes and to take
and certify affidavits and depositions, and 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 believe that the signature is genuine

Nov 21 2006

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the
said Court and County this 16 day of January 2007

Nancy Sunshine Clerk

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 22, 2006 by **SYNTHES (USA)** to **SYNTHES GmbH** and **HFSC COMPANY** of United States and corresponding foreign rights in connection with U.S. Serial No. 10/831,569 filed April 23, 2004.

Courtney Manning
Courtney Manning

Subscribed and sworn to before me this 26th day of
October, 2006.

Notary Public

Como Notario Ventiésimo del Circuito de Bogotá, hago constar que esta copia concorda con original que se ha presentado Bogotá D C - Colombia

16 ENE 2007

GUSTAVO SAMPER RODRIGUEZ
NOTARIO VEINTISEIS

JAMAL PARKER
Notary Public, State of New York
No. 01PA6042838
Qualified in Kings County
Certificate Filed in New York County
Commission Expires June 5, 2016

58

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 Ser. No. 10/831,469, which was filed with the United States Patent and Trademark Office on April 23, 2004 entitled DEVICE AND METHOD FOR INSERTING, POSITIONING AND REMOVING AN IMPLANT and all inventions described, disclosed or claimed therein (hereinafter "the Invention");

AND WHEREAS, Synthes GmbH, ASSIGNEE, having a place of business at Elmhurststrasse 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, HFSC 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 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 releases 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 HFSC Company shall obtain all said rights, title, and interest in the Invention in the Excluded Geographic Locations;

Assignment 2

Como Notario Veintiseis del Circuito de
Bogotá, hago constar que esta copia
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NYJD 162872.1

16 ENE 2007

GUSTAVO SAMPER RODRIGUEZ
NOTARIO VEINTISEIS

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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 Wriston Lane East
West Chester, Pennsylvania 19380
Date: May 22, 2006

Notary Public
of PA) SS:
County of Chester)

On May 22, 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

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Carrie A. McPherson, Notary Public
West Chester Boro, Chester County
My Commission Expires Jan. 27, 2010
Member, Pennsylvania Association of Notaries

Corno Notario Veintidós del Circuito de
Bogotá, hago constar que esta copia N° 20-122473.1
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16 ENE 2007
GUSTAVO SAMPER RODRIGUEZ
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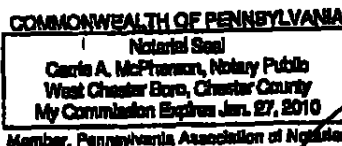
ASSIGNEE: Synthes GmbH
Robert M. Ranker Authorized to sign on behalf of Synthes GmbH
Signature: Robert M Ranker
Position/Title: Chief Patent Counsel
Address: 1302 Wrights Lane East
West Chester, Pennsylvania 19380
Date: May 22, 2006

State of Pennsylvania (th)
of PA) SS:
County of Chester)

On May 22, 2006, before me, Carrie A. McPherson, Notary Public, personally appeared Robert M. Ranker, 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: HPSC Company
Robert M. Ranker Authorized to sign on behalf of HPSC Company
Signature: Robert M Ranker
Position/Title: Chief Patent Counsel
Address: 1302 Wrights Lane East
West Chester, Pennsylvania 19380
Date: May 22, 2006

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16 ENE 2007

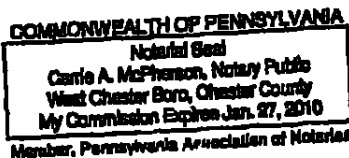
GUSTAVO SAMPER RODRIGUEZ
NOTARIO VEINTISEIS

State of Pennsylvania (th)
of PA) SS:
County of Chester)

On May 22, 2006, before me, Carrie A. McPherson, Notary Public, personally appeared Robert M. Ranker, 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



NYJD-152673.1

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