

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

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
Rad: 08-113491-00002-0000
Tel: 284-48-22 153333 Dep. 2840 RA-000000000000
TEL. 11 1747811111
CIB: 018 145000000000
CIB: 018 145000000000

Re.: Expediente No. 08 113.491
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:

- 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 que el inventor Lawrence J. Binder, Jr., en su calidad de empleado de la sociedad Synthes U.S.A., revela y cede a la misma todos los derechos sobre las invenciones e innovaciones desarrolladas por él durante su periodo de empleo, debidamente firmado, autenticado por Notario Público y legalizado por Apostilla.
3. 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.

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 G.S.J.

Apostille

(Convention de La Haye du 5 Octobre 1961)

2
5

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-10228116B**
9. **Seal/Stamp**
10. **Signature**



James Bizzarri
Special Deputy Secretary of State

WANCY
LEVIN

LEVIN, Clerk of the County of Kings, and also Clerk of the Supreme Court for the said 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 2006

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Court and County this day of 20

Wancy ? Sunshine

Clerk

SS

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 April 14, 2004 by Martin Walther and executed on June 29, 2004 by Thomas R. Keyer to SYNTHES (USA) of United States and corresponding foreign rights in connection with U.S. Serial No. 10/822,539 filed April 12, 2004.

Courtney Manning
 Courtney Manning

Subscribed and sworn to before me this 18th day of
 October, 2006.

[Signature]
 Notary Public

JAMAL PARKER
 Notary Public, State of New York
 No. 01P48042233
 Qualified in Kings County
 Certificate Filed in New York County
 Commission Expires June 8, 2012

[Faint circular notary seal]



UNITED STATES PATENT AND TRADEMARK OFFICE

Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

SEPTEMBER 28, 2006

PTAS

500157817A

GENEVEVE G. CUYCONG
JONES DAY, 222 EAST 41ST STREET
NEW YORK, NY 10017

500157817A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 09/29/2006 ✓

REEL/FRAME: 018320/0659 ✓

NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: 8832-927-999 ✓

ASSIGNOR:

✓ KEYER, THOMAS R

DOC DATE: 06/29/2004

ASSIGNOR:

✓ BINDER, LAWRENCE J, JR.

DOC DATE: 03/15/1999

ASSIGNOR:

✓ MALTHER, MARTIN

DOC DATE: 04/14/2004

ASSIGNEE:

✓ SYNTHES (USA)

1302 WRIGHTS LANE EAST

WEST CHESTER, PENNSYLVANIA 19380

6
57

31#320/0659 PAGE 2

SERIAL NUMBER: 10922599

PATENT NUMBER:

TITLE: ROD PERSUADER

✓ FILING DATE: 04/12/2004
ISSUE DATE:

ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

2/58

PATENT ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.109/28/2008
500157817

SUBMISSION TYPE:	NEW ASSIGNMENT										
NATURE OF CONVEYANCE:	ASSIGNMENT										
CONVEYING PARTY DATA											
<table border="1"><thead><tr><th>Name</th><th>Execution Date</th></tr></thead><tbody><tr><td>Thomas R KEYER</td><td>08/28/2004</td></tr><tr><td>Lawrence J BINDER Jr.</td><td>03/15/1999</td></tr><tr><td>Martin WALTHER</td><td>04/14/2004</td></tr></tbody></table>		Name	Execution Date	Thomas R KEYER	08/28/2004	Lawrence J BINDER Jr.	03/15/1999	Martin WALTHER	04/14/2004		
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Thomas R KEYER	08/28/2004										
Lawrence J BINDER Jr.	03/15/1999										
Martin WALTHER	04/14/2004										
RECEIVING PARTY DATA											
<table border="1"><tr><td>Name:</td><td>GYNTHER (JSA)</td></tr><tr><td>Street Address:</td><td>1302 Wright Lane East</td></tr><tr><td>City:</td><td>West Chester</td></tr><tr><td>State/Country:</td><td>PENNSYLVANIA</td></tr><tr><td>Postal Code:</td><td>19380</td></tr></table>		Name:	GYNTHER (JSA)	Street Address:	1302 Wright Lane East	City:	West Chester	State/Country:	PENNSYLVANIA	Postal Code:	19380
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City:	West Chester										
State/Country:	PENNSYLVANIA										
Postal Code:	19380										
PROPERTY NUMBERS Total: 1											
<table border="1"><thead><tr><th>Property Type</th><th>Number</th></tr></thead><tbody><tr><td>Application Number:</td><td>10522500</td></tr></tbody></table>		Property Type	Number	Application Number:	10522500						
Property Type	Number										
Application Number:	10522500										
CORRESPONDENCE DATA											
Fax Number: (212)795-7300 <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>											
Phone: 2123263988											
Email: gcuaysong@jonesday.com											
Correspondent Name: Genevieve G. Cuaysong											
Address Line 1: Jones Day, 222 East 41st Street											
Address Line 4: New York, NEW YORK 10017											
ATTORNEY DOCKET NUMBER:	0032-827-000										
NAME OF SUBMITTER:	Brian M. Reilly										
Total Attachments: 9 source=DOC010#page1.tif source=DOC010#page2.tif											

ASSIGNMENT

WHEREAS, WE, THOMAS K. KEYSER, LARRY HINDER, AND MARTIN WALTHER, ASSIGNORS, citizens of the United States, United States, and Switzerland, respectively, residing at 333 Canal Court, ASHLAND, PA. 19014; 3848 Cook Road, Langhorne, PA 19053; and 133, Rue du General De Soper, F-77400, Thionville France, respectively, are the inventors of the invention in Red Penquider 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 Jones Day docket no. 8832-027-030
- ☐ which was filed on , Application No.
- ☒ We hereby authorize and request our attorney, Brian M. Rothary and Giuseppe Molino, of Jones Day, 222 East 41st Street, New York, New York 10017, 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 therein and all claims 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, inventor's 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 continuations 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 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 said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisions, continuations, renewals 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 WITNESS WHEREOF, We hereunto set our hands and seals the day and year first above written our respective signatures.

Date June 29th, 2004 Thomas K. Keyser L-1
Date _____, 2004 Larry Hinder L-2
Date _____, 2004 Martin Walther L-3

State of Pennsylvania
County of Chester

on June 29, 2004, before me, Katherine C. Orse, Notary Public, personally appeared Thomas K. Keyser, 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 individual 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

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

8
60

State of _____ } ss.
County of _____ }

On _____, 2004, before me, _____, Notary Public, personally appeared _____, 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

State of _____ }
County of _____ } ss.

On _____, 2004, before me, _____, Notary Public, personally appeared _____, 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

NOTARY PUBLIC

00000001

ASSIGNMENT

WHEREAS, WE, THOMAS M. KEYS, LARRY BINDER, AND MARTIN WALTHER, ASSIGNORS, citizens of the United States, United States, and Switzerland, respectively, residing at 348 Cedar Court, Aspen, PA 19014; 2848 Creek Road, Langhorne, PA 19053; and 113, Rue du General De Sures, F-77310, Thoury France, respectively, are the inventors of the invention in and to which we have assigned an application for a Patent of the United States

☐	which is entitled to	☐	from date hereof or	☐	
☒	which is identified by Jones Day docket no. J02-027-000				
☐	which was filed on, Application No.				
☒	We hereby authorize and request our attorneys, Brian M. Kuchery and Giuseppe Molino, of Jones Day, 212 East 41st Street, New York, New York 10017, to issue here to patentee (Application number, _____ (Rev. _____) 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 renewals 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, inventions' 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 continuations 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 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 assigned, and will not assign, 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 affidavits, execute all divisions, continuing, renewal and foreign applications, make all required oaths, and generally do everything possible in all 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 have set our hands and seals the day and year set opposite our respective signatures.

Date _____	THOMAS KEYS	
Date _____	Witness (print name) _____	Witness Signature _____
Date _____	LARRY BINDER	
Date _____	Witness (print name) _____	Witness Signature _____
April 14, 2004	M. Walther	
April 14, 2004	Witness (print name) _____	Witness Signature _____

JPRS 153042

Apostille

(Convention de La Haye du 5 Octobre 1961)

4
62

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 04th day of January 2007**
7. **by Special Deputy Secretary of State, State of New York**
8. **No. NYC-10484723A**
9. **Seal/Stamp**
10. **Signature**



James Blizzarri
Special Deputy Secretary of State

State of New York
County of Kings

NOTARY T. SUNSHINE

3169 Form 1

63

WILBUR A. LEVIN, Clerk of the County of Kings, and also Clerk of the Supreme Court for the said 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.

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

Nov 21 2005
T. Sunshine

NOV 21 2005

VERIFICATION

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

I verify that the attached document identified as:

Employment Agreement

is a true copy of the document as executed on March 15, 1999 by Lawrence Binder, Jr. to SYNTHES U.S.A. of United States and corresponding foreign rights.

Courtney Manning
Courtney Manning

Subscribed and sworn to before me this 18th day of
October, 2006.

Notary Public

JAMAL PARKER
Notary Public, State of New York
No. 01PAG042838
Qualified in Kings County
Certificate Filed in New York County
Commission Expires June 8, 2010



SYNTHES U.S.A.

EMPLOYEE INNOVATION AND NON-DISCLOSURE AGREEMENT

TO SYNTHES U.S.A.

In consideration of my continued employment by SYNTHES and of the salary or wages paid to me and extending to be legally bound hereby, I agree

(a) to disclose and assign to SYNTHES as its exclusive property, all inventions and technical or business innovations, including computer software developed or conceived by me solely or jointly with others on company time or on my own time during the period of my employment, (1) that are along the lines of the businesses, work or investigations of SYNTHES or its affiliates in which my employment relates, or as to which I may receive information due to my employment, or (2) that result from or are suggested by any work which I may do for SYNTHES or (3) that are otherwise made through the use of SYNTHES time, facilities or materials,

(b) to execute all necessary papers and otherwise provide proper assistance (at SYNTHES' expense) during and subsequent to my employment, to enable SYNTHES to obtain for itself or its nominees, patents, copyrights, or other legal protection for such inventions or innovations in any and all countries;

(c) to make and maintain for SYNTHES adequate and current written records of all such inventions or innovations as set forth in SYNTHES operating guidelines (PD020 Patent Applications);

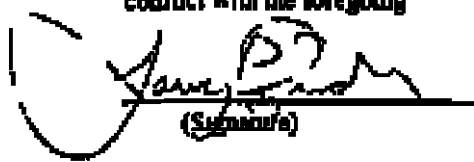
(d) upon any termination of my employment to deliver to SYNTHES promptly all items which belong to SYNTHES or which by their nature are for the use of SYNTHES employees only, including, without limitation, all written and other materials which are of a secret or confidential* nature relating to the business of the Company or its affiliates,

(e) not to use, publish or otherwise disclose (except as my SYNTHES duties may require) either during or subsequent to my employment, any secret or confidential information or data of SYNTHES or any information or data of others, such as, but not limited to, sales dollars or costs, product technology or product development, project information, manufacturing methods or technology, aspects or reporting systems, which SYNTHES is obligated to maintain in confidence; and

(f) not to disclose or utilize in my work with SYNTHES any secret or confidential information of others (including my prior employers), or any inventions or innovations of my own which are not included within the scope of this agreement.

This agreement may not be modified or terminated, in whole or part, except in writing signed by an authorized representative of SYNTHES. Discharge of my undertakings in this agreement shall be an obligation of my executors, administrators, or other legal representatives or assigns. SYNTHES, wherever used in this agreement, includes SYNTHES U.S.A., SYNTHES MAXILLOFACIAL, SYNTHES SPINE AND SYNTHES NORTH AMERICA.

I represent that, except as stated below, I have no agreements with or obligations to others in conflict with the foregoing


(Signature)

Lawrence Buder Jr
(Print Name)

3-15-99
(Date)

*These terms are used in the ordinary sense without limitation. Examples of materials, information and data which may be of a secret or confidential nature are: drawings, designs, sketches, concepts, reports and/or ideas, work, prototypes, models, or various formulas, processes, machines, computer software, scientific, economic methods, business plans and information systems including such as the information and data which are in accessible form or otherwise and any information gained through discussions and/or meetings.

Apostille

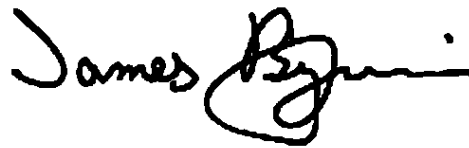
(Convention de La Haye du 5 Octobre 1961)

66 ~~11~~

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 2008**
7. **by Special Deputy Secretary of State, State of New York**
8. **No. NYC-10228117B**
9. **Seal/Stamp**
10. **Signature**



James Bizzarri
Special Deputy Secretary of State

ss. NANCY R. SUNSHINE

..... of the County of Kings, and also Clerk of the Supreme Court for the said County, the same being a Court of Record, 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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Court and County this 20th day of

.....
Nancy R. Sunshine
Clerk

NOV 21 2006

68 ~~15~~

8932-927-026

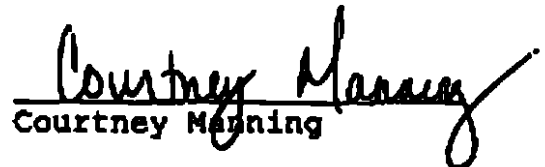
VERIFICATION

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

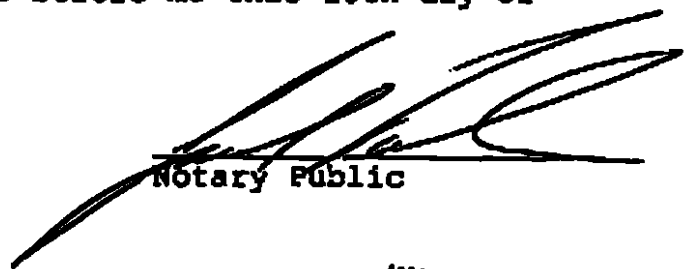
I verify that the attached document identified as:

Assignment

is a true copy of the document as executed on October 9, 2006 by
SYNTHES (USA) to **SYNTHES GmbH** of United States and corresponding
foreign rights in connection with U.S. Serial No. 10/822,599
filed April 12, 2004.


Courtney Manning

Subscribed and sworn to before me this 19th day of
October, 2006.


Notary Public

JAMAL PARKER
Notary Public, State of New York
No. 01PA8042238
Qualified in Kings County
Certificate Filed in New York County
Commission Expires 4th & 20, 10

69 ~~18~~

ASSIGNMENT

WHEREAS, Synthas (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. 10/823,999, awarded Attorney Doctant No. 8932-027-009 (232200-009237), which was filed with the United States Patent and Trademark Office on April 12, 2004, entitled **ROD PERSUADER** and all inventions described, disclosed or claimed therein (hereinafter "the invention");

AND WHEREAS, Synthas GmbH, ASSIGNEE, having a place of business at Elmstrasse 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, 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 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 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 all geographic locations except the Excluded Geographic Locations, and all extensions, renewals and releases thereof;

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.

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AND ASSIGNOR HEREBY further covenants and agrees that it will communicate to the said ASSIGNOR, its 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 reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNOR, its successors, legal representatives and assigns, to obtain and enforce proper protection for said 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/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.

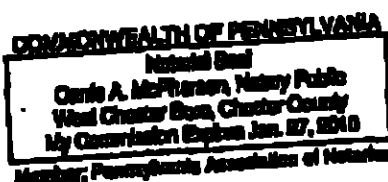
ASSIGNOR: Synthes (USA)
Troy T. Svihl Authorized to sign on behalf of Synthes (USA)
Signature: [Signature]
Position/Title: Patent Counsel
Address: 1302 Wrights Lane East
West Chester, Pennsylvania 19380
Date: Oct 9, 2006

Commonwealth of Pennsylvania)
County of Chester) ss:
)

On October 9, 2006 before me Carrie A. McPherson Notary Public, personally appeared Troy T. Svihl, 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: Synthes GmbH
Troy T Svihl Authorized to sign on behalf of Synthes GmbH
Signature: [Signature]
Position/Title: Patent Counsel
Address: 1302 Wrights Lane East
West Chester, Pennsylvania 19380
Date: Oct 9, 2006

Commonwealth of Pennsylvania)
County of Chester) SE.

On October 9, 2006, before me Carrie A. McPherson, Notary Public, personally appeared Troy T Svihl, 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

