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SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
Rad: 07-010380- -00002-0000
Fec: 2007-03-07 15:33:46 Dep. 2020 NUECREACIONES
Tra. 11 PATENTEIYII
Evs: 378 FASENACIONALI
347 444 PRESIDENTE

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

**Re.: Expediente No. 07 10.380
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:

– Lawrence J. Binder

– David Gerber

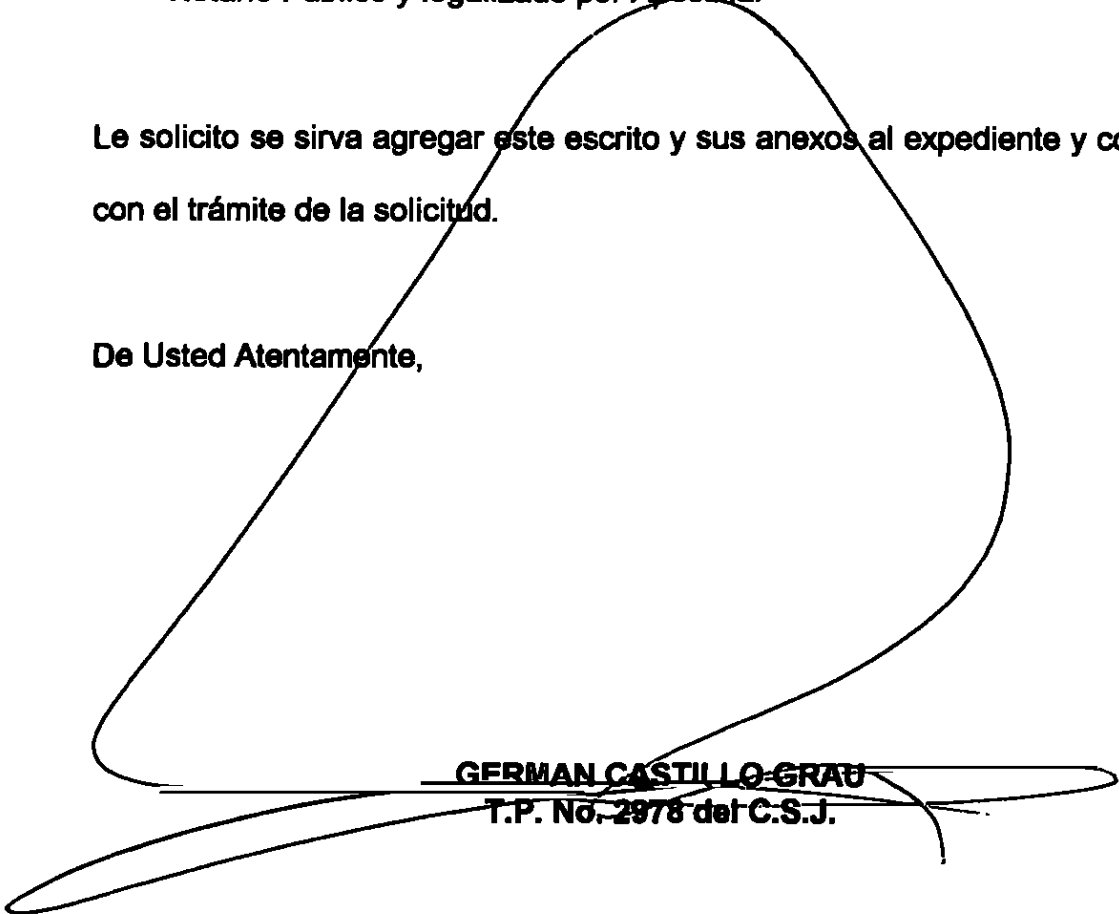
a favor de la sociedad Synthes (U.S.A.), debidamente firmado, autenticado por Notario Público y legalizado por Apostilla.

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.

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 1961)

34

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 06th day of February 2007

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

8. No. NYC-10491199A

9. Seal/Stamp

10. Signature



James Bizzarri

Special Deputy Secretary of State

State of New York
County of New York

NEW YORK
COUNTY

45

Form 1

545059

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

Patricia Vega

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 31 2007

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 June 22, 2004 by **David Gerber** and executed on February 9, 2005 by **Lawrence J. Binder** on February 9, 2005 to **SYNTHES U.S.A.** of United States and corresponding foreign rights in connection with U.S. Serial No. 10/884,705 filed July 2, 2004.


Courtney Manning

COUNTY
CLERK

Subscribed and sworn to before me this 9th day of
January, 2006.

Patricia Vega
Notary Public

PATRICIA VEGÀ
Notary Public, State Of New York
No. 01VE4841010
Qualified In Suffolk County
Certificate Filed In New York County
Commission Expires June 30, 2007

**UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

AUGUST 03, 2006

PTAS

500134062AGENEVEVE G. CUAYCONG
JONES DAY, 222 EAST 41ST STREET
NEW YORK, NY 10017

500134062A

**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: 08/03/2006

REEL/FRAME: 018045/0811
NUMBER OF PAGES: 2BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: 8932-834-999

ASSIGNOR:

BINDER, LAWRENCE J

DOC DATE: 02/09/2005

ASSIGNOR:

GERBER, DAVID

DOC DATE: 06/22/2004

ASSIGNEE:

SYNTHES (USA)
1302 WRIGHTS LANE EAST
WEST CHESTER, PENNSYLVANIA 19380

SERIAL NUMBER: 10884705

FILING DATE: 07/02/2004

PATENT NUMBER:

ISSUE DATE:

TITLE: SEQUENTIAL DILATOR SYSTEM

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48

018045/0811 PAGE 2

ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

X 49

PATENT ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.108/03/2006
500134082

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>Lawrence J Binder</td><td>02/09/2005</td></tr><tr><td>David Gerber</td><td>08/22/2004</td></tr></tbody></table>		Name	Execution Date	Lawrence J Binder	02/09/2005	David Gerber	08/22/2004				
Name	Execution Date										
Lawrence J Binder	02/09/2005										
David Gerber	08/22/2004										
RECEIVING PARTY DATA											
<table border="1"><tr><td>Name:</td><td>SYNTHES (USA)</td></tr><tr><td>Street Address:</td><td>1302 Wrights 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>18380</td></tr></table>		Name:	SYNTHES (USA)	Street Address:	1302 Wrights Lane East	City:	West Chester	State/Country:	PENNSYLVANIA	Postal Code:	18380
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State/Country:	PENNSYLVANIA										
Postal Code:	18380										
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>10884705</td></tr></tbody></table>		Property Type	Number	Application Number:	10884705						
Property Type	Number										
Application Number:	10884705										
CORRESPONDENCE DATA											
Fax Number: (212)765-7308 <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>											
Phone: 2123283988											
Email: gcuaycong@jonesday.com											
Correspondent Name: Genevava G. Cuaycong											
Address Line 1: Jones Day, 222 East 41st Street											
Address Line 4: New York, NEW YORK 10017											
ATTORNEY DOCKET NUMBER:	8832-534-999										
NAME OF SUBMITTER:	Brian M. Rothery										
Total Attachments: 1 source=DOC378#page1.tif											

CH: 540800 10884705

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8932-834-999

ASSIGNMENT

WHEREAS, WE, Lawrence J. BINDER, citizen of USA, residing at 5025 Sundance Court, Doylestown, PA 18901, USA; and David GERBER, citizen of Switzerland, residing at 394 Geriale Court, Exton, PA, 228 West Hine Street Apt #3, West Chester, P, 19382, are the inventors of the invention SEQUENTIAL DILATOR SYSTEM for which we have executed an application for a Patent of the United States:

- ☐ which is executed concurrently herewith,
- ☐ which is identified by attorney docket no. 8932-834-999

AND WHEREAS, SYNTHES U.S.A., ASSIGNEE a general partnership existing under the laws of the Commonwealth of Pennsylvania and having a place of business at 1690 Russell Road, Paoli, PA 19301, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

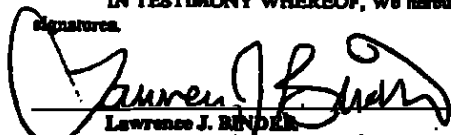
NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer 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, 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 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 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.


Lawrence J. BINDER

Date: 2/9/05

Witnessed By: 

Date: 2/9/05


David GERBER

Date: June 22, 2004

Witnessed By:  6/22/04

Apostille

(Convention de La Haye du 5 Octobre 1961)

5'8

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

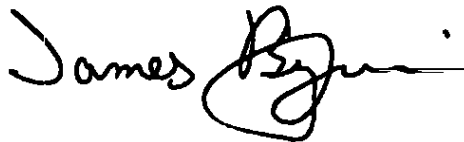
5. At New York, New York 6. the 06th day of February 2007

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

8. No. NYC-10491196A

9. Seal/Stamp

10. Signature



James Bizzarri

Special Deputy Secretary of State

NEW YORK
COUNTY

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

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545058

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

Patricia Vega

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 believe that such signature is genuine.

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

FEE PAID \$3.00

JAN 31 2007

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 June 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. 10/884,705 filed July 2, 2004.

Courtney Manning
Courtney Manning

COUNTY
CLERK

Subscribed and sworn to before me this 9th day of

January, 2006.

Patricia Vega
Notary Public

PATRICIA VEGA
Notary Public, State Of New York
No. 01VE4841010
Qualified In Suffolk County
Certificate Filed In New York County
Commission Expires June 30, 2007

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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. 10/884,705, which was filed with the United States Patent and Trademark Office on July 2, 2004 entitled SEQUENTIAL DILATOR SYSTEM and all inventions described, disclosed or claimed therein (hereinafter "the Invention");

AND WHEREAS, Synthes GmbH, ASSIGNEE, having a place of business at Eimattstrasse 1, 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 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 said Invention in any country, and all extensions, renewals and reissues 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;

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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 reissue 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 Wriehts Lane East
West Chester, Pennsylvania 19380
Date: June 22, 2006

~~State of Commonwealth~~
of PA) SS.:
County of Chester)

On June 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

56 13

ASSIGNEE: Synthes GmbH
Robert M. Rauker Authorized to sign on behalf of Synthes GmbH
Signature: Robert M. Rauker
Position/Title: Chief Patent Counsel
Address: 1302 Wrights Lane East
West Chester, Pennsylvania 19380
Date: June 22, 2006

State of Commonwealth
of PA) SS.:
County of Chester)

On June 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

ASSIGNEE: HFSC Company

Robert M. Rauker Authorized to sign on behalf of HFSC Company

Signature: Robert M. Rauker

Position/Title: Chief Patent Counsel

Address: 1302 Wrights Lane East

West Chester, Pennsylvania 19380

Date: June 22, 2006

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

State of Commonwealth
of PA) SS.:
County of Chester)

On June 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

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NYJD: 1620483 I