

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

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
Rad: 07-002201- -00002-0000
Fee: 2007-02-28 14:52:49 Dep. 2020 NUECREACIONES
Tra. 11 PATENTEIYI
Eve: 378 FASENACIONALI
Act 444 RESPUESTAREQUE **Folios: 13**

Re.: Código 011-378-444
Expediente No. 07-2.201
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. Acompaño una copia auténtica de la copia certificada del documento que acredita la cesión de los inventores Mark SIRAVO y Christoph A. ROTH a la sociedad SYNTHES (U.S.A.) de la solicitud estadounidense No. 10/866,597 de la cual se reclama prioridad en la solicitud internacional.
2. Acompaño una copia auténtica de la copia certificada del documento que acredita la cesión de la sociedad SYNTHES (U.S.A.) a la sociedad SYNTHES GmbH de la solicitud estadounidense No. 10/866,597 de la cual se reclama prioridad en la solicitud internacional en todas las localidades geográficas excepto Estados Unidos y sus posesiones y territorios, Canadá y sus posesiones y territorios, las Bahamas y Bermuda.

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)

36
LH

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 04th day of January 2007

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

8. No. NYC-10484724A

9. Seal/Stamp

10. Signature

James Blizzari

James Blizzari

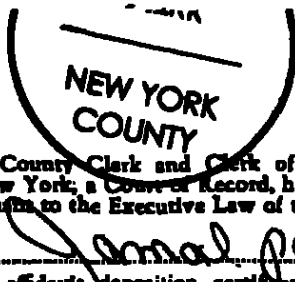
Special Deputy Secretary of State

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

27 FEB 2007

GUSTAVO SAMPER RODRIGUEZ
NOTARIO VEINTISEIS

37



539117 Form 1

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

I, NORMAN G DMAN, 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 Rankin

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

DEC 27 2006

Norman G. Dman
County Clerk and Clerk of the Supreme Court, New York County

Come Notario Veintiseis del Circuito de
Bogotá, hago constar que esta copia
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Bogotá D.C. - Colombia.
27 FEB 2007
GUSTAVO SAMPER RODRIGUEZ
NOTARIO VEINTISEIS

EN BLANCO
NOTARIA VEINTISEIS

EN BLANCO
NOTARIA VEINTISEIS

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 3, 2004 by **Mark Siravo** and executed on June 8, 2004 by **Christoph Andreas Roth** to **SYNTHES U.S.A.** of United States and corresponding foreign rights in connection with U.S. Serial No. 10/866,597 filed June 11, 2004.

Courtney Manning
Courtney Manning

Subscribed and sworn to before me this 15th day of
December, 2006.

COUNTY
CLERK

Notary Public

Como Notario Vainadillo del Circulo de Bogotá, hago constar que esta copia coincide con original que se ha presentado Bogotá D.C. - Colombia.

27 FEB 2007

GUSTAVO SAMPER RODRIGUEZ
NOTARIO VEINTISEIS

JAMAL PARKER
Notary Public, State of New York
No. 01PA6042638
Qualified in Kings County
Certificate Filed in New York County
Commission Expires June 6, 2010

MS 6.03.04 29 ASSIGNMENT

WHEREAS, WE Mark SIRAYO and Christoph Andreas ROTH, ASSIGNORS, citizens of the USA, residing at 165 Jacobs Drive, Coatesville, PA 19380, USA and 1402 Newmarket Court, West Chester, PA 19382; are the inventors of the invention INTRAMEDULLARY ROD WITH SPIRALING FLUTES for which we have executed an application for a Patent of the United States:

- ☒ which is executed concurrently herewith,
- ☒ which is identified by Jones Day docket no. 8932-952-999

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 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 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 my hand and seal the day and year set opposite my signature.

Date JUNE 03, 2004 Mark Sirayo LS

State of Pennsylvania
County of Chester

On June 3, 2004, before me, M. Jenkins, Notary Public, personally appeared Mark Sirayo, 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

Mark M. Jenkins
NOTARIAL SEAL
Mark M. Jenkins, Notary Public
East Goshen Twp., Chester County
My Commission Expires June 17, 2004

Como Notario Voluntario del Circulo de Bogota, hago constar que esta copia coincide con el original que se ha presentado Bogota D.C. - Colombia.

27 FEB 2007

GUSTAVO SAMPER RODRIGUEZ
NOTARIO VOLUNTARIO
RYSX 1526787.1

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Date June 8, 2004

Christoph Roth
Christoph Andreas Roth

State of Pennsylvania
County of Chadwick

On June 8, 2004, before me, N. Jenkins Notary Public, personally appeared Christoph Andreas Roth, 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

Nancy M. Jenkins

NOTARIAL SEAL
Nancy M. Jenkins, Notary Public
East Goshen Twp., Chester County
My Commission Expires June 17, 2004

Come Notario Veintiseis del Circulo de
Bogotá, hago constar que esta copia
coincide con original que se ha presentado
Bogotá D.C. - Colombia.

27 FEB 2007

GUSTAVO SAMPER RODRIGUEZ
NOTARIO VEINTISEIS

EN BLANCO
NOTARIA VEINTISEIS

EN BLANCO
NOTARIA VEINTISEIS

Apostille

(Convention de La Haye du 5 Octobre 1961)

41 *sf*

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 04th day of January 2007
7. by Special Deputy Secretary of State, State of New York
8. No. NYC-10484725A
9. Seal/Stamp
10. Signature

James Bizzari

James Bizzari
Special Deputy Secretary of State

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

27 FEB 2007

GUSTAVO SAMPER RODRIGUEZ
NOTARIO VEINTISEIS

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State of New York }
County of New York }

539115 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
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

DEC 27 2000
FEE PAID \$3.00

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

Como Notario Veintiseis del Circuito de Bogotá, hago constar que esta copia coincide con original que se ha presentado Bogotá D.C. - Colombia.
27 FEB 2007
GUSTAVO SAMPER RODRIGUEZ
NOTARIO VEINTISEIS

EN BLANCO
NOTARIA VEINTISEIS

EN BLANCO
NOTARIA VEINTISEIS

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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 13, 2006
by **SYNTHES (U.S.A.)** to **SYNTHES GmbH** of United States and
corresponding foreign rights in connection with U.S. Serial No.
10/866,597 filed June 11, 2004.

Courtney Manning
Courtney Manning

Subscribed and sworn to before me this 15th day of
December, 2006.

COUNTY
CLERK

[Signature]
Notary Public

Cada Notaria del Estado del Distrito de
Bogotá, hago constar que esta copia
coincide con original que se ha presentado
Bogotá D.C. - Colombia.
27 FEB 2007
GUSTAVO SAMPER RODRIGUEZ
NOTARIO VENTILAS

JAMAL PARKER
Notary Public, State of New York
No. 01PA0042838
Qualified in Kings County
Certificate Filed in New York County
Commission Expires June 5, 2010

44
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ASSIGNMENT

WHEREAS, Synthes (U.S.A.), 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. 10/866,597, which was filed with the United States Patent and Trademark Office on June 11, 2004, accorded Attorney Docket No. 8932-952-999 (232200-999238), entitled INTRAMEDULLARY ROD WITH SPIRALING FLUTES and all inventions described, disclosed or claimed therein (hereinafter "the Invention");

AND WHEREAS, Synthes GmbH, ASSIGNEE, a Swiss Company organized under the laws of Switzerland and having a place of business at Elmattstrasse 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");

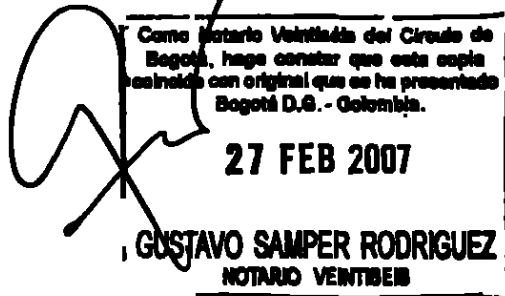
AND WHEREAS, ASSIGNOR, is desirous of assigning its entire right, title and interest to the Invention in all geographic locations except the Excluded Geographic Locations to the ASSIGNEE, including the right to bring an action and recover damages for past infringement, if any;

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 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 all geographic locations except the Excluded Geographic Locations, and all extensions, renewals and reissues 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.

NYI-3947221v1



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AND ASSIGNOR HEREBY further covenants and agrees that it will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to it respecting 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 ASSIGNEE, 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 is fully authorized and empowered to do so and sets his hand and seal the day and year set with his signature.

ASSIGNOR: Synthes (U.S.A.)
Troy T. Svihl Authorized to sign on behalf of Synthes (U.S.A.)
Signature: [Signature]
Position/Title: Patent Counsel
Address: 1302 Wrights Lane East
West Chester, Pennsylvania 19380
Date: 13 December 2006

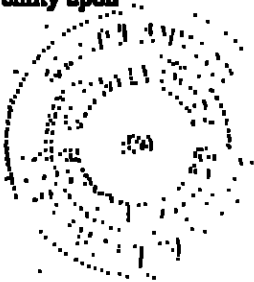
Como Notario Venticinco del Circulo de Bogotá, hago constar que esta copia coincide con el original que se ha presentado Bogotá D.C. - Colombia.
27 FEB 2007
GUSTAVO SAMPER RODRIGUEZ
NOTARIO VENTICINCO

Commonwealth of Pennsylvania)
County of Chester) SS:

On December 13, 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

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



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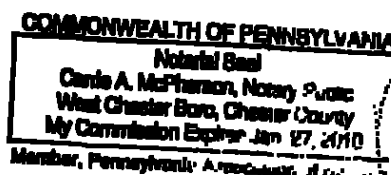
ASSIGNEE: Synthes GmbH
Troy T. Svihl Authorized to sign on behalf of Synthes GmbH
Signature: [Signature]
Position/Title: Patent Counsel
Address: 1302 Wrights Lane East
West Chester, Pennsylvania 19380
Date: 13 December 2006

Commonwealth of Pennsylvania)
County of Chester) SS:

On December 13, 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

[Signature]



EN BLANCO
NOTARIA VEINTISEIS

