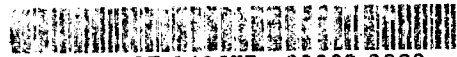


**Señora Jefe
DIVISIÓN DE NUEVAS CREACIONES
SUPERINTENDENCIA DE INDUSTRIA Y C
Bogotá, D.C.**

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No 07-040577-00003-0000

FECHA 21/03/17 15:30:11 DE LA 2000 NUEVAS CREACIONES
TR. DE PATENTE Y MARCA 178 FASE NACIONAL
178 FASE NACIONAL RESPUESTA 178 FOLIOS 27

**Re.: Expediente No. 07 40.577
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:

- David Gerber
- Shaun Hanson
- Xiaoping Hu
- Douglas S. Kephart
- Kyle Kuntz

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 Andrew M. Lee, 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, para este caso sobre la solicitud estadounidense No. 10/957,888 de 29 de Septiembre de 2004, 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 C.S.J.

Apostille

(Convention de La Haye du 5 Octobre 1961)

105 3 105

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**

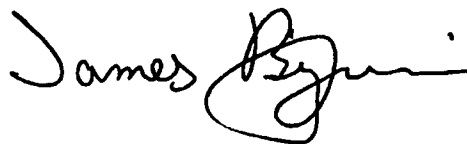
Certified

5. At New York, New York 6. the 20th day of July 2007

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

8. No. NYC-10270356B

10. Signature



James Bizzarri
Special Deputy Secretary of State



✓
106

VERIFICATION

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

I verify that the attached documents (5) identified as:

Assignment

which covers corresponding foreign rights, are true copies of the documents as executed on February 2, 2005 by **David Gerber**, executed on March 3, 2005 by **Shaun Hanson**, executed on February 2, 2005 by **Xiaoping Hu**, executed on February 1, 2005 by **Douglas Kephart** and executed on February 10, 2005 by **Kyle Kuntz** to **Synthes (U.S.A.)**, a company located in the United States, in connection with U.S. Serial No. 10/957,888, filed September 29, 2004.

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

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

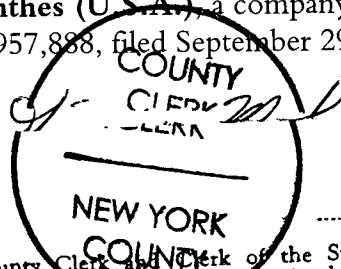
whose name is subscribed to the annexed affidavit, deposition, certificate of acknowledgment or proof, was at the time of taking the same a NOTARY PUBLIC in and for the State of New York duly commissioned, sworn and qualified to act as such; that pursuant to law, a commission or a certificate of his 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

JUL 1 0 23

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



576788

Form 1

JOINT

ASSIGNMENT

WHEREAS, WE, DAVID GERBER, a citizen of Switzerland, residing at 228 W. Miner Street, Apt. #3, West Chester, PA 19382; SHAUN HANSON, a citizen of the United States, residing at 1585 Sundance Drive, West Chester, PA 19380; XIAOPING HU, a citizen of China, residing at 326 Lorraine Avenue, Oreland, PA 19075; DOUGLAS S. KEPHART, a citizen of the United States, residing at 1098 Smithbridge Road, Glen Mills, PA 19342; KYLE KUNTZ, a citizen of the United States, residing at 5 Danielle Lane, Coatesville, PA 19320; and ANDREW M. LEE, a citizen of the United States, residing at 2004 Lantern Lane, Oreland, PA 19075, ASSIGNORS, are the inventors of the invention in LESS INVASIVE SURGICAL SYSTEM AND METHODS 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. 8932-813-999 (708716-999790)

☒ which was filed on September 29, 2004, Application No. 10/957,888

☐ We hereby authorize and request our attorney(s), , at 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 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 for Patents 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.

Date Feb 2, 2005 David Gerber L.S.

State of _____)
) SS.:
County of _____)

On 2/2, 2005, before me, Eileen Kerper, Notary Public, personally appeared David Gerber, 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

Eileen A. Kerper

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Eileen A. Kerper, Notary Public
Tredyffrin Twp., Chester County
My Commission Expires Dec. 13, 2008
Member, Pennsylvania Association Of Notaries

Date . 2005

Shaun Hanson

State of)
) SS.:
County of)

On _____, 2005, before me, _____, Notary Public, personally appeared Shaun Hanson, 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

Date _____, 2005

Xiaoping Hu

State of)
) SS.:
County of)

On _____, 2005, before me, _____, Notary Public, personally appeared **Xiaoping Hu**, 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

Date _____, 2005

Douglas Kephart

State of)
County of) SS.:

On _____, 2005, before me, _____, Notary Public, personally appeared Douglas Kephart, 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

7
109

Date _____, 2005 _____
Kyle Kuntz

State of)
) SS.:
County of)

On _____, 2005, before me, _____, Notary Public, personally appeared Kyle Kuntz, 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

Date _____, 2005 _____
Andrew M. Lee

State of)
) SS.:
County of)

On _____, 2005, before me, _____, Notary Public, personally appeared Andrew M. Lee, 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

8
110

ASSIGNMENT

WHEREAS, WE, **DAVID GERBER**, a citizen of Switzerland, residing at 228 W. Miner Street, Apt. #3, West Chester, PA 19382; **SHAUN HANSON**, a citizen of the United States, residing at 1585 Sundance Drive, West Chester, PA 19380; **XIAOPING HU**, a citizen of China, residing at 326 Lorraine Avenue, Oreland, PA 19075; **DOUGLAS S. KEPHART**, a citizen of the United States, residing at 1098 Smithbridge Road, Glen Mills, PA 19342; **KYLE KUNTZ**, a citizen of the United States, residing at 5 Danielle Lane, Coatesville, PA 19320; and **ANDREW M. LEE**, a citizen of the United States, residing at 2004 Lantern Lane, Oreland, PA 19075, **ASSIGNORS**, are the inventors of the invention in **LESS INVASIVE SURGICAL SYSTEM AND METHODS** 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. 8932-813-999 (708716-999790)
☒ which was filed on September 29, 2004, Application No. 10/957,888
☐ We hereby authorize and request our attorney(s), , at 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 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 for Patents 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.

Date _____, 2005 _____ L.S.
David Gerber

State of)
) SS.:
County of)

On _____, 2005, before me, _____, Notary Public, personally appeared David Gerber, 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

9
111

Date March 3, 2005 Shaun Hanson
Shaun Hanson

State of Pennsylvania
County of Chester) SS.:

On March 3, 2005, before me, Katherine C. Orse Notary Public, personally appeared Shaun Hanson, 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

Notarial Seal
Katherine C. Orse, Notary Public
East Goshen Twp., Chester County
My Commission Expires June 25, 2008
Member, Pennsylvania Association Of Notaries

Date _____, 2005 _____
Xiaoping Hu

State of _____)
County of _____) SS.:

On _____, 2005, before me, _____, Notary Public, personally appeared Xiaoping Hu, 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

Date _____, 2005 _____
Douglas Kephart

State of _____)
County of _____) SS.:

On _____, 2005, before me, _____, Notary Public, personally appeared Douglas Kephart, 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

10
112

Date _____, 2005 _____
Kyle Kuntz

State of)
) SS.:
County of)

On _____, 2005, before me, _____, Notary Public, personally appeared Kyle Kuntz, 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

Date _____, 2005 _____
Andrew M. Lee

State of)
) SS.:
County of)

On _____, 2005, before me, _____, Notary Public, personally appeared Andrew M. Lee, 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

11
113
JOINT

ASSIGNMENT

WHEREAS, WE, DAVID GERBER, a citizen of Switzerland, residing at 228 W. Miner Street, Apt. #3, West Chester, PA 19382; SHAUN HANSON, a citizen of the United States, residing at 1585 Sundance Drive, West Chester, PA 19380; XIAOPING HU, a citizen of China, residing at 326 Lorraine Avenue, Oreland, PA 19075; DOUGLAS S. KEPHART, a citizen of the United States, residing at 1098 Smithbridge Road, Glen Mills, PA 19342; KYLE KUNTZ, a citizen of the United States, residing at 5 Danielle Lane, Coatesville, PA 19320; and ANDREW M. LEE, a citizen of the United States, residing at 2004 Lantern Lane, Oreland, PA 19075, ASSIGNORS, are the inventors of the invention in LESS INVASIVE SURGICAL SYSTEM AND METHODS 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. 8932-813-999 (708716-999790)
☒ which was filed on September 29, 2004, Application No. 10/957,888
☐ We hereby authorize and request our attorney(s), , at 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 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 for Patents 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.

Date _____, 2005 _____ L.S.
David Gerber

State of _____)
County of _____) SS.:

On _____, 2005, before me, _____ Notary Public, personally appeared David Gerber, _____, 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

12
114

Date _____, 2005 _____
Shaun Hanson

State of _____)
County of _____) SS.:
County of _____)

On _____, 2005, before me, _____, Notary Public, personally appeared Shaun Hanson, 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.

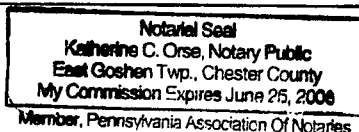
WITNESS my hand and official seal

Date Feb. 2, 2005 _____
Xiaoping Hu

State of Pennsylvania)
County of Chester) SS.:
County of _____)

On February 2, 2005, before me, Katherine C. Orse, Notary Public, personally appeared Xiaoping Hu, 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



Date _____, 2005 _____
Douglas Kephart

State of _____)
County of _____) SS.:
County of _____)

On _____, 2005, before me, _____, Notary Public, personally appeared Douglas Kephart, 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

Kyle Kuntz

On _____, 2005, before me, _____, Notary Public, personally appeared Kyle Kuntz, 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

Andrew M. Lee

On _____, 2005, before me, _____, Notary Public, personally appeared Andrew M. Lee, 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

17

JOINT

ASSIGNMENT

WHEREAS, WE, DAVID GERBER, a citizen of Switzerland, residing at 228 W. Miner Street, Apt. #3, West Chester, PA 19382; SHLAUN HANSON, a citizen of the United States, residing at 1585 Sundance Drive, West Chester, PA 19380; XIAOPING HU, a citizen of China, residing at 326 Lorraine Avenue, Oreland, PA 19075; DOUGLAS S. KEPHART, a citizen of the United States, residing at 1098 Smithbridge Road, Glen Mills, PA 19342; KYLE KUNTZ, a citizen of the United States, residing at 5 Danielle Lane, Coatesville, PA 19320; and ANDREW M. LEE, a citizen of the United States, residing at 2004 Lantern Lane, Oreland, PA 19075, ASSIGNORS, are the inventors of the invention in LESS INVASIVE SURGICAL SYSTEM AND METHODS 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. 8932-813-999 (708716-999790)
☒ which was filed on September 29, 2004, Application No. 10/957,888
☐ We hereby authorize and request our attorney(s), , at 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 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 for Patents 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.

Date _____, 2005 _____ L.S.
David Gerber

State of)
County of) SS.:
)

On _____, 2005, before me, _____ Notary Public, personally appeared David Gerber, 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

00015700

117
15

Date _____, 2005 _____
Shaun Hanson

State of _____)
) SS.:
County of _____)

On _____, 2005, before me, _____, Notary Public, personally appeared Shaun Hanson, 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

Date _____, 2005 _____
Xiaoping Hu

State of _____)
) SS.:
County of _____)

On _____, 2005, before me, _____, Notary Public, personally appeared Xiaoping Hu, 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.

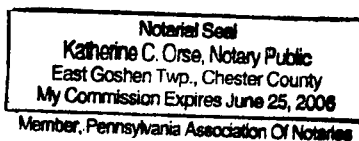
WITNESS my hand and official seal

Date 2-1-05, 2005 _____
Douglas Kephart
Douglas Kephart

State of Pennsylvania)
) SS.:
County of Chester)

On February 1, 2005, before me, Katherine C. Orse, Notary Public, personally appeared Douglas Kephart, 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



118
16

Date _____, 2005 _____
Kyle Kuntz

State of)
) SS.:
County of)

On _____, 2005, before me, _____, Notary Public, personally appeared Kyle Kuntz, 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

Date _____, 2005 _____
Andrew M. Lee

State of)
) SS.:
County of)

On _____, 2005, before me, _____, Notary Public, personally appeared Andrew M. Lee, 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

ASSIGNMENT

WHEREAS, WE, DAVID GERBER, a citizen of Switzerland, residing at 228 W. Miner Street, Apt. #3, West Chester, PA 19382; SHAUN HANSON, a citizen of the United States, residing at 1585 Sundance Drive, West Chester, PA 19380; XIAOPING HU, a citizen of China, residing at 326 Lorraine Avenue, Oreland, PA 19075; DOUGLAS S. KEPHART, a citizen of the United States, residing at 1098 Smithbridge Road, Glen Mills, PA 19342; KYLE KUNTZ, a citizen of the United States, residing at 5 Danielle Lane, Coatesville, PA 19320; and ANDREW M. LEE, a citizen of the United States, residing at 2004 Lantern Lane, Oreland, PA 19075, ASSIGNORS, are the inventors of the invention in LESS INVASIVE SURGICAL SYSTEM AND METHODS 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. 8932-813-999 (708716-999790)
☒ which was filed on September 29, 2004, Application No. 10/957,888
☐ We hereby authorize and request our attorney(s), , at 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 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 for Patents 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.

Date _____, 2005 _____ L.S.
David Gerber

State of)
County of) SS.:
)

On _____, 2005, before me, _____, Notary Public, personally appeared David Gerber, 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

Date _____, 2005 _____
Shaun Hanson

State of _____)
) SS.:
County of _____)

On _____, 2005, before me, _____, Notary Public, personally appeared Shaun Hanson, 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

Date _____, 2005 _____
Xiaoping Hu

State of _____)
) SS.:
County of _____)

On _____, 2005, before me, _____, Notary Public, personally appeared Xiaoping Hu, 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

Date _____, 2005 _____
Douglas Kephart

State of _____)
) SS.:
County of _____)

On _____, 2005, before me, _____, Notary Public, personally appeared Douglas Kephart, 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

120
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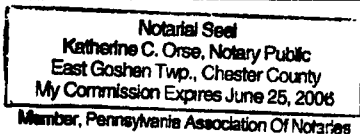
Date Feb. 10, 2005

[Signature]
Kyle Kuntz

State of Pennsylvania)
County of Chester) SS.:

On February 10, 2005, before me, Katherine C. Orse, Notary Public, personally appeared Kyle Kuntz, 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



Date _____, 2005

Andrew M. Lee

State of _____)
County of _____) SS.:

On _____, 2005, before me, _____, Notary Public, personally appeared Andrew M. Lee, 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

Apostille

(Convention de La Haye du 5 Octobre 1961)

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**

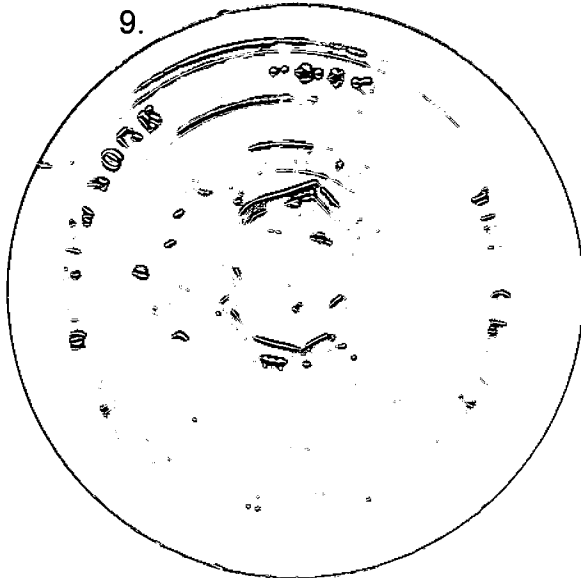
Certified

5. At New York, New York 6. the 20th day of July 2007

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

8. No. NYC-10270355B

9. 10. Signature



A handwritten signature in black ink, reading "James Bizzarri".

James Bizzarri
Special Deputy Secretary of State

122
21

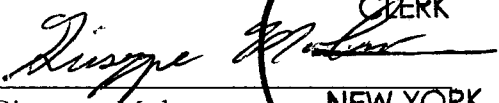
VERIFICATION

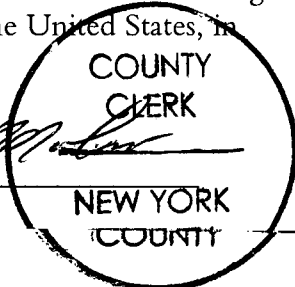
STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

I verify that the attached document identified as:

Employee Innovation and Non-Disclosure Agreement

which covers corresponding foreign rights, is a true copy of the document as executed on August 16, 1999 by **Andrew Lee** to **Synthes (U.S.A.)**, a company located in the United States, in connection with U.S. Serial No. 10/957,888, filed September 29, 2004.


Giuseppe Molaro

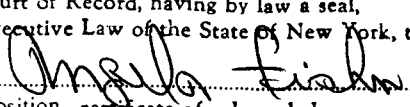


State of New York)
County of New York,) ss.:

576791

Form 1

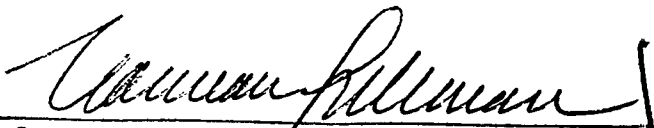
I, NORMAN GOODMAN, County Clerk and Clerk of the Supreme Court of the State of New York, in and for the County of New York, a Court of Record, having by law a seal, DO HEREBY CERTIFY pursuant to the Executive Law of the State of New York, that


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

JUL 10 2007


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

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 intending 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 to 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 units, product technology or product development, project information, manufacturing methods or technology, reports 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 any 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.

Andrew Lee
(Signature)

ANDREW LEE
(Print Name)

8-16-99
(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: writings, drawings, manuals, notebooks, reports, audio/video work, prototypes, models, inventions, formulas, processes, machines, compositions, computer software, microfiche, accounting methods, business plans and information systems including such materials, information and data which are in machine readable form or otherwise and any information gained through discussions and/or meetings.

Apostille

(Convention de La Haye du 5 Octobre 1961)

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 20th day of July 2007
7. by Special Deputy Secretary of State, State of New York
8. No. NYC-10270354B
9. Seal/Stamp 10. Signature



James Bizzarri

James Bizzarri
Special Deputy Secretary of State

24
105

VERIFICATION

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

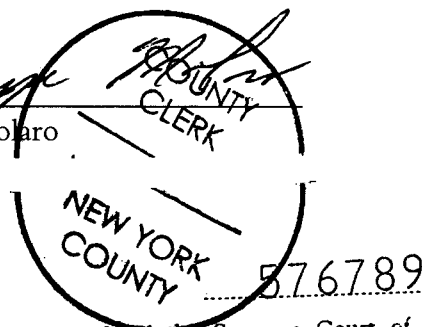
I verify that the attached document identified as:

Assignment

which covers corresponding foreign rights, is a true copy of the document as executed on June 22, 2006 from **Synthes (USA)** to **Sythes GmbH** and to **HFSC Company** in connection with U.S. Serial No. 10/957,888, filed September 29, 2004.

Giuseppe Molaro
Giuseppe Molaro
CLERK

Subscribed and sworn to before me on this _____ day of _____, 2007.



Form 1

ork, } ss.:
ARMAN GOODMAN, County Clerk and Clerk of the Supreme Court of the State of New York, a Court of Record, having by law a seal, HEREBY CERTIFY pursuant to the Executive Law of the State of New York, that

Angela Fisher
The undersigned is subscribed to the annexed affidavit, deposition, certificate of acknowledgment or proof, was at the time making 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 and 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 _____ day of _____, 2007.

FEE PAID \$3.00 JUL 10 2007

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

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126

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. 10/957,888, which was filed with the United States Patent and Trademark Office on September 29, 2004 entitled LESS INVASIVE SURGICAL SYSTEM AND METHODS and all inventions described, disclosed or claimed therein (hereinafter "the Invention");

AND WHEREAS, **Synthes GmbH**, ASSIGNEE, having a place of business at Eimattstrasse 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 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 Wrights Lane East

West Chester, Pennsylvania 19380

Date:

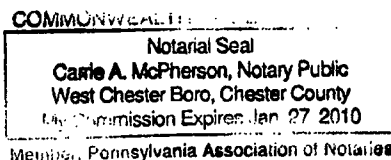
June 22, 2006

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

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



27
123

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

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

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

~~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
NYJD: 1615236.1