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

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 07-103465- -00010-0000

Fecha: 2010-03-11 16:02:03 Dep. 2020 DIR NUEVASCR
Tra. 11 PATENTEIYII Eve: 378 FASENACIONALI
Act. 444 RESPUESTAREQUE Folios: 10

**Re.: Expediente No. 07 103.465
Fase nacional de 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:

- Sean S. Suh
- David S. Rathbun

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. 2.978 del C.S.J.

Apostille

(Convention de La Haye du 5 Octobre 1961)

1. Country: United States of America

This public document

2. has been signed by **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 05th day of March 2010

7. by Secretary of State, State of New York

8. No. NYC-10419138B

9. Seal/Stamp

10. Signature



Lorraine Cortes Vazquez

Lorraine Cortes Vazquez
Secretary of State

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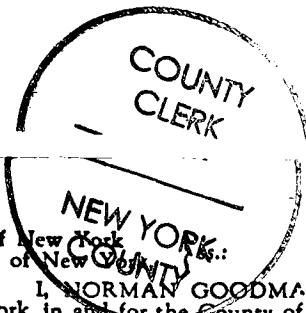
VERIFICATION

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 executed on March 11, 2005 by **Sean S. Suh** and executed on March 11, 2005 by **David S. Rathbun** to **Synthes USA**, a company located in the United States, in connection with U.S. Serial No. 11/078,802, filed on March 11, 2005.



Giuseppe Molero
Giuseppe Molero

State of New York
County of New York

762601

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

Angela Lishan

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

FEB 24 2010

FEE PAID \$3.00

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

JOINT

ASSIGNMENT

WHEREAS, WE, SEAN SUH AND DAVID RATHBUN, ASSIGNORS, citizens of the United States, residing at 173 Wildflower Drive, Plymouth Meeting, PA 19462; and ~~742 Newport Avenue, Apt 5, Gap, PA 17527~~, are the inventors of the invention in UNIDIRECTIONAL FIXATION DEVICE for which we have executed an application for a Patent of the United States

- ☒ which is executed on ☒ even date herewith or ☐ 756 P2002A A02,
☒ which is identified by Jones Day docket no. 232232-999149
☐ which was filed on , Application No.
☐ 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 USA, 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, 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: 3/11/05

X S. Suh
SEAN S. SUH

DATE: 3/11/05

Notarial Seal
Katherine C. Orse, Notary Public
East Goshen Twp., Chester County
My Commission Expires June 25, 2006
Witness (Print name)
Katherine C. Orse

X Katherine C. Orse
Witness Signature

DATE: 3/11/05

X David Rathbun
DAVID S. RATHBUN

DATE: 3/11/05

Notarial Seal
Katherine C. Orse, Notary Public
East Goshen Twp., Chester County
My Commission Expires June 25, 2006
Witness (Print name)
Katherine C. Orse

X Katherine C. Orse
Witness Signature

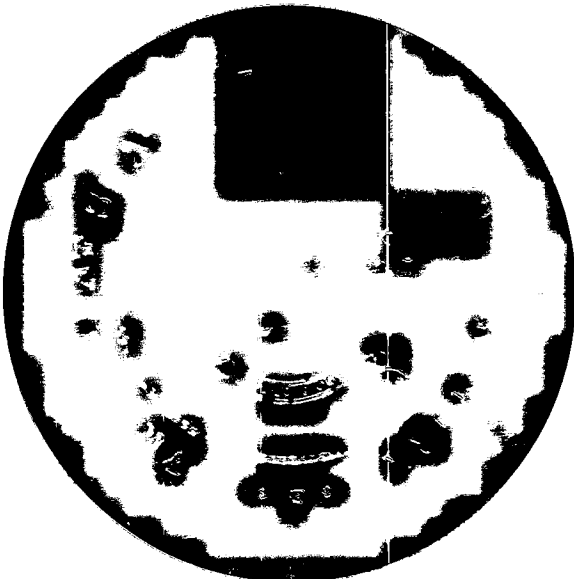
Apostille

(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 05th day of March 2010
7. by Secretary of State, State of New York
8. No. NYC-10419139B
9. Seal/Stamp 10. Signature



A handwritten signature in cursive script, reading "Lorraine Cortes Vazquez". The signature is written in dark ink on a light background.

Lorraine Cortes Vazquez
Secretary of State

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789

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 executed on March 13, 2006 from **Synthes (USA)** to **Synthes GmbH** in connection with U.S. Serial No. 11/078,802, filed on March 11, 2005.

COUNTY

Giuseppe Molaro
Giuseppe Molaro

Subscribed and sworn to before me this 11th day of February 2010.

Angela
Notary

Form 1

762600

CLERK

NEW YORK
COUNTY

State of New York, ss.:
I, ANGELA GOODMAN, County Clerk and Clerk of the Supreme Court of
County of New York, a Court of Record, having by law a seal,
New York, in and for the County of New York, 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 other document, 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,
I have compared the signature on the annexed instrument with the handwriting of the person who subscribed the same,
or have compared the signature on the annexed instrument with his autograph signature as filed in my office,
I believe that such signature is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand affixed my official seal this
FEB 24 2010
County Clerk and Clerk of the Court, New York

FEE PAID \$3.00

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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. 11/078,802, which was filed with the United States Patent and Trademark Office on March 11, 2005 entitled **UNIDIRECTIONAL FIXATION DEVICE** 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:

March 13, 2006

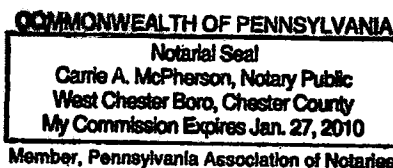
Commonwealth of PA
State of

) SS.:
County of Chester)

On March 13, 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



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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

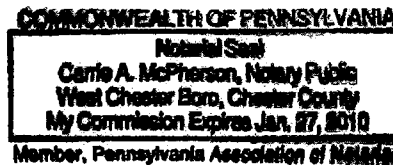
Date: March 13, 2006

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

On March 13, 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

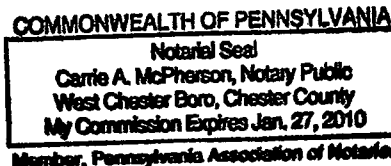
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WITNESS my hand and official seal

Carrie A. McPherson





2020
Bogotá D.C.,

Doctor(a)
CASTILLO GRAU GERMAN
Apoderado(a) y/o Representante de
SYNTHESE GMBH

REFERENCIA	Radicación No.	7 103465
	Solicitud internacional	PCT/US2006/007661
	Fecha inicio fase nacional	11/10/2007
	Trámite	11
	Evento	378
	Actuación	416
	Oficio No.	10652
	Folios	1

Teniendo en cuenta que la solicitud de privilegio de patente que se tramita bajo el expediente indicado en la referencia, reúne los requisitos de forma establecidos en la Decisión 486 de la Comisión de la Comunidad Andina, el Tratado de Cooperación en Materia de Patentes (PCT), el Reglamento y la Circular Única de la Superintendencia de Industria y Comercio, se envía el extracto de la solicitud a la Oficina de Comunicaciones para efecto de su publicación en la Gaceta de Propiedad Industrial.

Cúmplase
Dado en Bogotá D.C.,

8 JUN. 2010

ALIX CARMENZA CESPEDES DE VERGEL
Directora de Nuevas Creaciones (c)

jfernand

DIVISIÓN DE NUEVAS CREACIONES

RADICACIÓN EXPEDIENTE No. 07-103465

EL EXTRACTO DE LA PRESENTE SOLICITUD DE **PATENTE DE INVENCION**

FUE PUBLICADO EN LA GACETA DE PROPIEDAD INDUSTRIAL No **619** DE

FECHA **20 DE AGOSTO DE 2010** EL TÉRMINO HÁBIL SEÑALADO POR LA

LEY EXPIRA EL **17 DE NOVIEMBRE DE 2010**

NOTA: Dentro del plazo de los seis (6) meses siguientes a partir de la fecha de publicación en la gaceta de Propiedad Industrial, deberá solicitar y cancelar el examen de patentabilidad so pena de que la solicitud caiga en abandono, de acuerdo con lo establecido en el Artículo 44 de la Decisión 486/2000.

SE PRESENTARON OPOSICIONES POR PARTE DE TERCEROS.

SI _____

NO X