

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

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



**No. 07-103469- -00010-0000**

Fecha 2010-03-11 16:01:22 Dep. 2020 DIR NUL MASCR  
Tra. 11 PATENTEIYII Eve: 378 FASENACIONALI  
Act. 444 RESPUESTAREQUE Folios: 10

**Re.: Expediente No. 07 103.469  
Fase nacional de Solicitud  
de Patente PCT a nombre de  
SYNTHES GmbH  
Código 011 – 378 - 444**

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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 del Inventor:

– Sean S. Suh

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

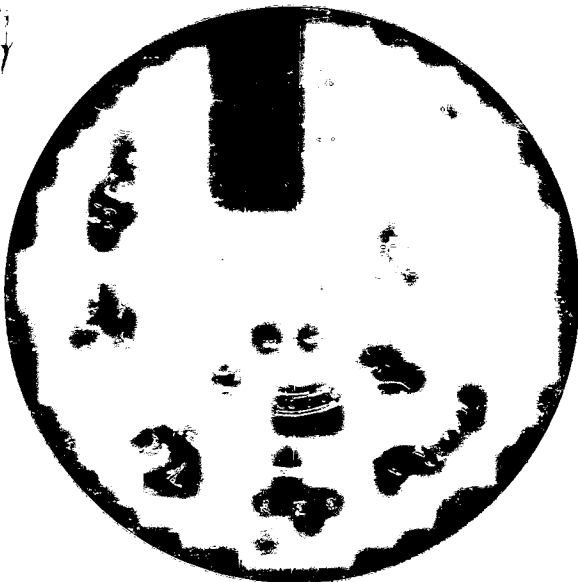
5. At New York, New York 6. the 05th day of March 2010

7. by Secretary of State, State of New York

8. No. NYC-10419136B

9. Seal/Stamp

10. Signature



A handwritten signature in cursive script, reading 'Lorraine Cortes Vazquez', is written over a horizontal line.

Lorraine Cortes Vazquez  
Secretary of State

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** to **Synthes USA**, a company located in the United States, in connection with U.S. Serial No. 11/078,803, filed on March 11, 2005.

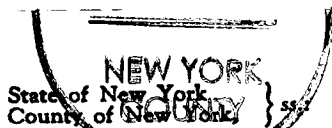


*Giuseppe Molaro*  
Giuseppe Molaro

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

*Angela Fisher*  
Notary Public

ANGELA FISHER  
Notary Public, State of New York  
No. 31-4939107  
Qualified in New York County  
Commission Expires July 25, 20 10



762603 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 Fisher*  
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

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SOLE

ASSIGNMENT

WHEREAS, I, SEAN S. SUH, ASSIGNOR, citizen of the United States, residing at 173 Wildflower Drive, Plymouth Meeting, PA 19462, am the inventor of the invention in TRANSLATIONAL PLATE WITH SPRING BEAM RETAINER for which I 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. 232232-999152  
☐ which was filed on , Application No.  
☐ I hereby authorize and request my 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 my 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 me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, 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, my 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 I 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 I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me 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, I hereunto set our hands and seals the day and year set opposite our respective signatures.

DATE: 3/11/05

x

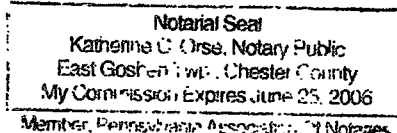
SEAN S. SUH

DATE: 3/11/05

Katherine C. Orse  
Witness (print name)

x

Katherine C. Orse  
Witness Signature



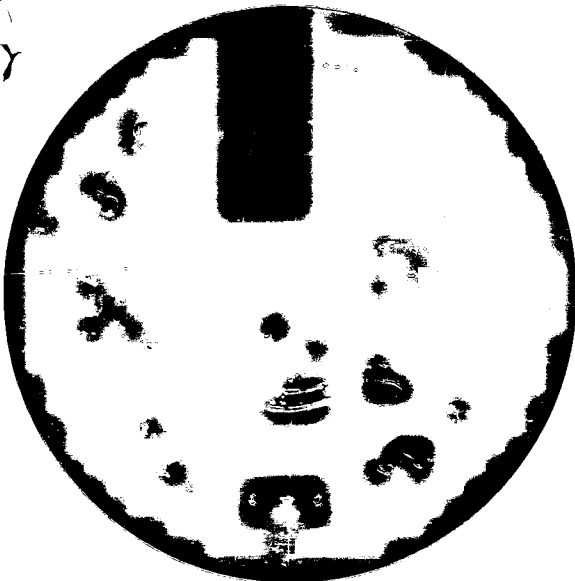
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(Convention de La Haye du 5 Octobre 1961)

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## 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-10419137B
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 13, 2006 from **Synthes (USA)** to **Synthes GmbH** in connection with U.S. Serial No. 11/078,803, filed on March 11, 2005.



Giuseppe Molaro  
Giuseppe Molaro

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

Angela Fisher  
Notary Public

ANGELA FISHER  
Notary Public, State of New York  
No. 31-4939107  
Qualified in New York County 10  
Commission Expires July 25, 20

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

762602 Form 1

Angela Fisher  
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

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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. 11/078,803, which was filed with the United States Patent and Trademark Office on March 11, 2005 entitled **TRANSLATIONAL PLATE WITH SPRING BEAM RETAINER** 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

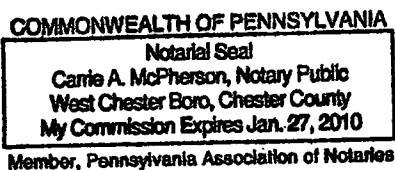
Commonwealth of PA  
~~State of~~

County of Chester ) SS.:  
)

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: 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

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: 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

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



2020  
Bogotá D.C.,

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

|            |                            |                   |
|------------|----------------------------|-------------------|
| REFERENCIA | Radicación No.             | 7 103469          |
|            | Solicitud internacional    | PCT/US2006/007659 |
|            | Fecha inicio fase nacional | 11/10/2007        |
|            | Trámite                    | 11                |
|            | Evento                     | 378               |
|            | Actuación                  | 416               |
|            | Oficio No.                 | 10653             |
|            | 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 DC,

18 JUN. 2010

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

jfernand