



No. 08-023344- -00002-0000

Fecha: 2008-04-04 11:56:57 Dep. 2020 NUECREACIONE
Tra. 11 PATENTEIYII Eve: 378 FASENACIONAL
Act. 444 RESPUESTAREQUE Folios: 11

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

Re.: Expediente No. 08 23.344
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:

- Yan Yevmenenko
- Walter Pistoia
- Andre Frenk
- Florian Beutter
- Franco Cicoira

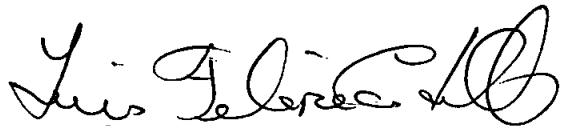
a favor de la sociedad Synthes (U.S.A.), debidamente firmado, autenticado por Notario Público y legalizado por Apostilla.

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

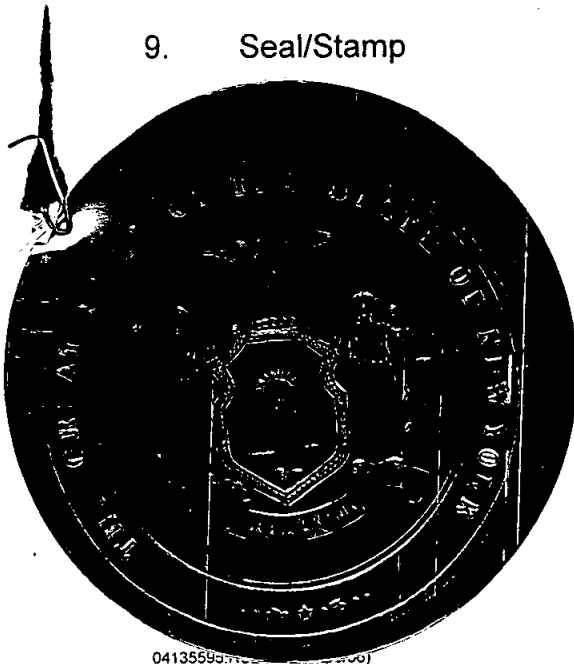
sociedad solicitante Synthes GmbH, debidamente firmado, autenticado por
Notario Público y legalizado por Apostilla.

Le solicito se sirva agregar este escrito y sus anexos al expediente y continuar
con el trámite de la solicitud.

De Usted Atentamente,


LUIS FELIPE CASTILLO GIBSONE
T.P. No. 68.995 del C.S.J.

(Convention de La Haye du 5 Octobre 1961)



04135593

4

VERIFICATION

State of New York)

SS:

County of Kings)

I verify that the attached document identified as:

Assignment

is a true copy of the document as executed on August 16, 2005 by **Yan YEVMENENKO**, on September 6, 2005 by **Walter PISTOIA**, on September 21, 2005 by **Andre FRENK**, on September 19, 2005 by **Florian BEUTTER**, and on September 19, 2005 by **Franco CICOIRA** to Synthes (U.S.A.) of United States and corresponding foreign rights in connection with **U.S. Patent Application Serial No. 11/205,829** filed on **August 16, 2005**.

State of New York }
County of Kings } ss:

26838

Form 1

I, **NANCY T. SUNSHINE**, Clerk of the County of Kings, and also Clerk of the Supreme Court for the said County, the same being a Court of Record, having a seal, DO HEREBY CERTIFY, That

whose name is subscribed to the deposition, certificate of acknowledgment or proof of the annexed instrument, was at the time taking the same a NOTARY PUBLIC in and for the State of New York; that pursuant to law a commission, or a certificate of his appointment and qualifications, and his autograph signature, have been filed in my office; that as such Notary Public he was duly authorized by the laws of the State of New York to administer oaths and affirmations, to receive and certify the acknowledgment or proof of deeds, mortgages, powers of attorney and other written instruments for lands, tenements and hereditaments to be read in evidence or recorded in this State; to protest notes and to take and certify affidavits and depositions; and that I am well acquainted with the handwriting of such Notary Public, or have compared the signature on the annexed instrument with his autograph signature deposited in my office, and believe that the signature is genuine.

MAR 12 2008

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Court and County this

day of *March*, 2008
Nancy T. Sunshine
Clerk

5

JOINT

ASSIGNMENT

300 E. EVANS
ST. #271
WEST CHESTER
PA 19380
M

WHEREAS, WE, YAN YEVMENENKO, WALTER PISTOLA, ANDRE FRENK, FLORIAN BEUTTER, AND FRANCO CICOIRA, ASSIGNORS, citizens of the United States, Switzerland, Switzerland, Germany, and Italy, residing at ~~3434 Walnut Street, #226, Philadelphia, PA 19104~~; Meisenweg 6, Biel, Switzerland CH-2503; Hagebuchenweg 1, Brittnau, Switzerland CH-4805; Wengistrasse 40, Solothurn, Switzerland CH-4500; and Hubmatweg 12u, Selzach, Switzerland CH-2545, are the inventors of the invention in HEADLESS COMPRESSION SCREW WITH INTEGRATED REDUCTION-COMPRESSION INSTRUMENT 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. 232200-999282
☐ 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, I herunto set our hands and seals the day and year set opposite our respective signatures.

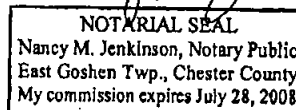
DATE: 8/16/05

X *Yan Yevmenenko*
YAN YEVMENENKO

DATE: 8/16/05

NANCY M. JENKINSON
Witness (print name)

Nancy M. Jenkinson
Witness Signature



DATE: _____

X _____
WALTER PISTOLA

DATE: _____

Witness (print name) X _____
Witness Signature

NYJD: 1585885.1

B00011748.001

DATE: 21.9.2005

DATE: 19.9.2005

X

ANDRE FRENK

Witness (print name)

X

Witness Signature

DATE: 19.09.2005

DATE: 19.04.2005

X

FLORIAN BEUTTER

Cornelia Zimmer

Witness (print name)

X

Witness Signature

DATE: 19.09.2005

DATE: 19.03.2005

X

FRANCO CICOIRA

F. Beutter

Witness (print name)

X

Witness Signature

JOINT

ASSIGNMENT

WHEREAS, WE, YAN YEVMENENKO, WALTER PISTOIA, ANDRE FRENK, FLORIAN BEUTTER, AND FRANCO CICOIRA, ASSIGNORS, citizens of the United States, Switzerland, Germany, and Italy, residing at 3131 Walnut Street, #226, Philadelphia, PA 19104; Meisenweg 6, Biel, Switzerland CH-2503; Hagebuchweg 1, Brittnau, Switzerland CH-4805; Wengistrasse 40, Solothurn, Switzerland CH-4500; and Hubmatweg 12u, Selzach, Switzerland CH-2545, are the inventors of the invention in HEADLESS COMPRESSION SCREW WITH INTEGRATED REDUCTION-COMPRESSION INSTRUMENT 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. 232200-999282
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.

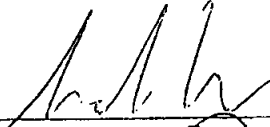
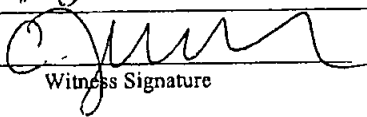
IN TESTIMONY WHEREOF, I hereunto set our hands and seals the day and year set opposite our respective signatures.

DATE: X
YAN YEVMENENKO
DATE: X
Witness (print name) Witness Signature

DATE: 6.9.2005 X
WALTER PISTOIA
DATE: 6.9.2005 X
Witness (print name) Witness Signature

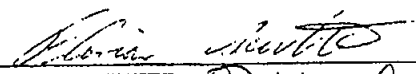
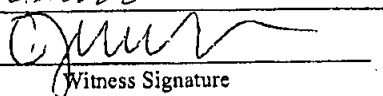
DATE: 09.09.2005

DATE: 09.09.2005

X 
ANDRE FRENK
Carmen Zinnert X 
Witness (print name) Witness Signature

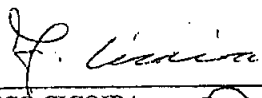
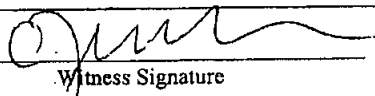
DATE: 09.09.2005

DATE: 09.09.2005

X 
FLORIAN BEUTTER
Carmen Zinnert X 
Witness (print name) Witness Signature

DATE: 09.09.2005

DATE: 09.09.2005

X 
FRANCO CICAIRA
Carmen Zinnert X 
Witness (print name) 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 **Nancy T. Sunshine**
3. acting in the capacity of **County Clerk**
4. bears the seal/stamp of the county of **Kings**

Certified

5. At New York, New York
6. the 13th day of March 2008
7. by Special Deputy Secretary of State, State of New York
8. No. NYC-10307499B
9. Seal/Stamp
10. Signature



James Bizzarri

James Bizzarri
Special Deputy Secretary of State

VERIFICATION

State of New York)

SS:

County of Kings)

I verify that the attached document identified as:

Assignment

is a true copy of the document as executed on January 18, 2008 by **Synthes (U.S. A.) to Synthes GmbH** of rights in all geographic locations except for United States and Canada in connection with **U.S. Patent Serial No. 11/205,829** filed on **August 16, 2005**.

Joshe Moore-Albert
Joshe Moore-Albert

State of New York }
County of Kings } ss:

26836

Form 1

I, NANCY T. SUNSHINE, Clerk of the County of Kings, and also Clerk of the Supreme Court for the said County, the same being a Court of Record, having a seal, DO HEREBY CERTIFY, that

[Signature]
whose name is subscribed to the deposition, certificate of acknowledgment or proof of the annexed instrument, was at the time taking the same a NOTARY PUBLIC in and for the State of New York, duly commissioned and sworn and qualified to act as such throughout the State of New York; that pursuant to law a commission, or a certificate of his appointment and qualifications, and his autograph signature, have been filed in my office; that as such Notary Public he was duly authorized by the laws of the State of New York to administer oaths and affirmations, to receive and certify the acknowledgment or proof of deeds, mortgages, powers of attorney and other written instruments for lands, tenements and hereditaments to be read in evidence or recorded in this State; to protest notes and to take and certify affidavits and depositions; and that I am well acquainted with the handwriting of such Notary Public, or have compared the signature on the annexed instrument with his autograph signature deposited in my office, and believe that the signature is genuine.

MAR 12 2008

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Court and County this _____ day of _____, 20____

Nancy T. Sunshine
Nancy T. Sunshine

ASSIGNMENT

WHEREAS, **Synthes (U.S.A.)**, ASSIGNOR, a Pennsylvania General 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 No. **11/205,829**, which was filed with the United States Patent and Trademark Office on **August 16, 2005**, entitled **Headless Compression Screw with Integrated Reduction-Compression Instrument** and all inventions described, disclosed or claimed therein (hereinafter "the Invention"), which claims priority to United States Patent Application No. **10/861,818**, filed on **June 4, 2004**, and PCT Patent Application **PCT/CH2001/000698** filed on **December 4, 2001**.

AND WHEREAS, **Synthes GmbH**, ASSIGNEE, a Swiss Company organized under the laws of Switzerland and having a place of business at Eimattstrasse 3, CH-4436 Oberdorf, Switzerland, is desirous of obtaining the entire right, title and interest to and under the Invention, including the right to bring an action and recover damages for past infringements, if any, in all geographic locations except the United States and its possessions and territories, Canada and its possessions and territories, the Bahamas, and Bermuda (hereinafter "the Excluded Geographic Locations").

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

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the said ASSIGNOR, has sold, assigned, transferred and set over, and does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, all ASSIGNOR'S rights, title and interest in the Invention in all geographic locations except the Excluded Geographic Locations including the right to bring an action and recover damages for past infringement, if any; and all rights, title and interest in any corresponding patent applications and all divisions, renewals and continuations thereof, and all Patents which may be granted thereon and all reissues and extensions thereof; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for the Invention in all geographic locations except the Excluded Geographic Locations, and all extensions, renewals and reissues thereof.

AND ASSIGNOR HEREBY authorizes and requests said ASSIGNEE, its successors, legal representatives, or assigns to insert hereinafter when known the application number and filing date of any international, regional, or national application already filed or filed hereafter for the Invention.

Country: _____ Application No. _____ Filing Date _____

NOW, THEREFORE, ASSIGNEE shall obtain all said rights, title and interest in the Invention in all geographic locations except the Excluded Geographic Locations.

AND ASSIGNOR HEREBY covenants and agrees that it has not executed, and will not execute, any agreement in conflict herewith.

AND ASSIGNOR HEREBY further covenants and agrees that it will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to it respecting the Invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for the Invention in all geographic locations except the Excluded Geographic Locations.

AND ASSIGNOR HEREBY further covenants and agrees that it has read this Assignment, knows and understands its contents, and comprehends and agrees to all of its terms, conditions and meanings and their significance.

IN TESTIMONY WHEREOF, the person executing this Assignment in a representative capacity on behalf of the ASSIGNOR warrants that he is fully authorized and empowered to do so and signs his name on the date indicated below.

ASSIGNOR: Synthes (U.S.A.)

Dennis J. Butler Authorized to sign on behalf of Synthes (U.S.A.)

Signature: *Dennis Butler*

Position/Title: Patent Counsel

Address: 1302 Wrights Lane East
West Chester, Pennsylvania 19380

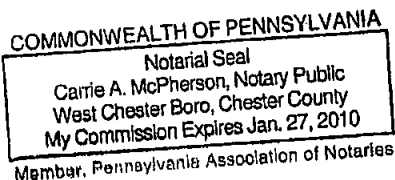
Date: January 18, 2008

Commonwealth of Pennsylvania)
) SS:
County of Chester)

On January 18, 2008, before me, Carrie A. McPherson, Notary Public, personally appeared Dennis J. Butler, 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

Dennis J. Butler Authorized to sign on behalf of Synthes GmbH

Signature: *Dennis Butler*

Position/Title: Patent Counsel

Address: Eimattstrasse 3
CH-4436 Oberdorf
Switzerland

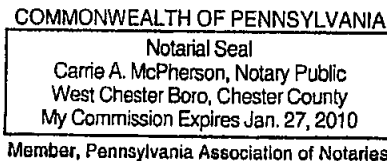
Date: January 18, 2008

Commonwealth of Pennsylvania)
) SS:
County of Chester)

On January 18, 2008, before me, Carrie A. McPherson, Notary Public, personally appeared Dennis J. Butler, 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



69

REPUBLICA DE COLOMBIA
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

Folio 59

2020
Bogotá D.C.,

Doctor(a)
CASTILLO GIBSON LUIS FELIPE
Apoderado(a) y/o Representante de
SYNTHES GMBH

REFERENCIA	Radicación No.	8 23344
	Solicitud internacional	pct/us2006/031977
	Fecha inicio fase nacional	16/03/2008
	Trámite	11
	Evento	378
	Actuación	416
	Oficio No.	7478
	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,

20 ENE 2009

ALIX CARMENZA CESPEDES DE VERGEL
Jefe de la división de Nuevas Creaciones

jfernand