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

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 08-106719- -00003-0000

Fecha: 2008-01-20 16:03:19 Dep: 2020 NUECREACION
Tra: 11 PATENTEIYI Eve: 378 FASENACIONALI
Act: 444 RESPUESTAREQUE Folios: 9

**Re.: Expediente No. 08 106.719
Fase nacional de Solicitud
de Patente PCT a nombre de
N SPINE, INC.
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 auténtica del poder conferido por mi representada, N SPINE, INC., debidamente firmado, autenticado por Notario Público quién certifica la existencia y representación legal de la sociedad y legalizado por Apostilla.
2. Acompaño copia certificada del documento donde consta la cesión del derecho a la patente de los Inventores:

- Sean Joo Na
- Jude V. Paganelli
- Jason Yim
- Brian Scott Bowman

a favor de la sociedad solicitante N SPINE, INC., debidamente firmado, autenticado por Notario Público y legalizado por Apostilla.

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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.

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APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country : United States Of America
2. This public document has been signed by **CARRIE A MCPHERSON**
3. acting in the capacity of **NOTARY PUBLIC**
4. bears the seal/stamp **CARRIE A MCPHERSON, NOTARY PUBLIC, CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA**

5. at Harrisburg, Pennsylvania
6. The 22nd day of December, 2008
7. by Pedro A. Cortés, Secretary of the Commonwealth of Pennsylvania
8. No : 200840907
9. Seal/Stamp
10. Signature

Certified

6. The 22nd day of December, 2008

7. by Pedro A. Cortés, Secretary of the Commonwealth of Pennsylvania

8. No : 200840907

9. Seal/Stamp

10. Signature

Pedro A. Cortés

Pedro A. Cortés



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Castillo Grau & Associates

Law Offices

P.O. Box 251473

Bogotá, Colombia

FOR PATENTS AND TRADEMARKS IN

COLOMBIA

PODER GENERAL

(1) N SPINE, INC.

domiciliado en (2) 6244 Ferris Square, Suite B.,
San Diego, Estado de California, E.U.A.

nombra al Dr. Germán Castillo Grau y/o Adriana
Castillo Gibsone y/o Luis Felipe Castillo Gibsone

con oficinas en la Carrera 13 No. 37-43, Piso 12
en Bogotá, D.C., Colombia como sus
representantes con poder especial amplio y
suficiente, para recabar de las oficinas y
autoridades Colombianas, administrativas,
judiciales o de policía, en primera o segunda
instancia, la Obtención de Patentes de
Invención, Registro de Marcas, de Diseños
Industriales, de Nombres y Enseñas
Comerciales, lo mismo que traspasos,
extensiones, renovaciones, cambios de nombre
y domicilio, registro de licencias de explotación y
registro de licencias de uso referentes a tales
actuaciones, a cuyo efecto les faculta para dar
ante dichas autoridades todos los pasos
necesarios al objeto indicado, elevar solicitudes,
formular descripciones, enmiendas, protestas,
declaraciones, apelaciones y reclamos, solicitar
la aplicación de medidas cautelares, aceptar en
nuestro nombre y representación la Cesión de
derechos de invención y de patente de invención
que se nos haga por cualquier persona, abonar
todos los impuestos cuotas y pagos
determinados por la ley, recibir todos los
documentos y valores dando el descargo
respectivo, llenar cualesquiera otros requisitos,
desistir, y tomar en fin todas las medidas que
creyeren conducentes al resguardo de nuestros
intereses y en caso de presentarse oposiciones
para que intervengan como demandantes o
como demandados, con todas las demás
facultades legales necesarias. Este poder
comprende además las facultades de recibir,
desistir, transigir, comprometer, sustituir, revocar
sustituciones, recibir notificaciones y nombrar
apoderados judiciales o extra-judiciales

Dado y firmado en (4)

Firma/Signature

Corporate Seal to be Affixed

GENERAL POWER OF ATTORNEY

(1) N SPINE, INC.

domiciled in (2) 6244 Ferris Square, Suite B.,
San Diego, California, U.S.A.

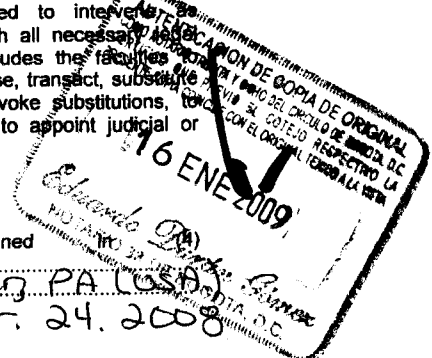
hereby appoint Dr. Germán Castillo Grau and/or
Adriana Castillo-Gibsone and/or Luis Felipe
Castillo-Gibsone

with offices at Carrera 13 No. 37-43, 12th Floor in
Bogotá, Colombia as our representatives with
special ample and sufficient power to obtain from
the offices and Colombian authorities,
administrative, judicial and police, in first or in
second instance, Patents of Invention,
registration of Trade or Service Marks, Industrial
Designs, of Commercial Names and Ensigns, as
well as assignments, extensions, renewals,
changes of names and addresses, registration of
licences of exploitation and licences of use
referring to said actions who are empowered to
take before said authorities all of the necessary
steps for the purposes indicated, to file
applications, to formulate descriptions,
corrections, protests, declarations, appeals and
claims, apply for precautionary measures, to
accept on our behalf and representation the
assignment of rights on invention and titles of
invention that may be given to us by any person,
to pay all taxes, quotas and payments
prescribed by law, to receive all the documents
and proceeds giving the respective
acquiescence or receipt, to fulfill any other
requisites to desist and take in fact any other
measures that may be deemed conducive to the
safeguard of our interests, and in case
oppositions are presented to intervene as
plaintiff or defendant, with all necessary
faculties. This power includes the faculties
receive, desist, compromise, transact, substitute
it in all or in part, to revoke substitutions, to
receive notifications and to appoint judicial or
extra-judicial attorneys.

Given and signed

WEST CHESTER, PA U.S.A.

November 24, 2008



DECLARACION NOTARIAL
(Individual)

A los días del mes de de 2008
compareció personalmente ante mí, Notario
Público el/la señor(a)

A quien(es) doy fe de conocer y me consta que
es(son) la(s) persona(s) descrita(s) y firmante(s)
del documento que precede, declarando ante mí
que otorga(n) el mismo para los fines y
propósitos que en él se expresan.

El Notario Público

.....
(Sociedades)

El infrascrito Notario certifica: que la(s) firma(s)

que antecede(n) y dice(n):

.....
es (son) auténtica(s); que el (los) signatario(s)
desempeña(n) el (los)

cargo(s) de

.....
de **N SPINE, INC.**

que tiene(n) facultad para otorgar este poder; y
que dicha compañía está domiciliada en San
Diego, Estado de California, E.U.A.

y actualmente existe y está organizada de

acuerdo a las leyes de

.....
Todos los hechos anteriores le constan por

haber examinado los documentos respectivos y

de todo ello da fe.

Dado y firmado en.....
.....

El Notario Público

(Con Apostilla)

NOTARIAL CERTIFICATE
(Individuals)

On this..... day of..... of 2008.....
personally appeared before me, a Notary Public,
.....

.....
to me known, and known to be the person(s)
described in and who executed the foregoing
document, and he(they) duly acknowledged to
me that he(they) executed same for the uses
and purposes therein expressed.

Notary Public

.....
(Corporations)

The undersigned Notary Public certifies: that

the preceeding signature(s) reading . .

Dennis J. Butler
is (are) authentic; that the signor(s) at present
fill(s) the

post(s) of

Patent Counsel

.....
of **N SPINE, INC.**

and that he/she (they) is (are) empowered to
grant this power; and that said company is
domiciled in San Diego, California, U.S.A.

and actually exists and is organized in
accordance with the laws of

All the foregoing facts are known to the Notary

due to his/her having examined the respective

documents to which he/she, the Notary, attests.

Granted and
in.....

West Chester, PA
November 24, 2008

Notary Public

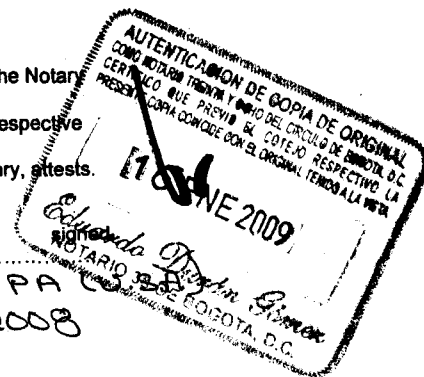
(With Apostille)

Carrie A. McPherson
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



Apostille

(Convention de La Haye du 5 Octobre 1961)

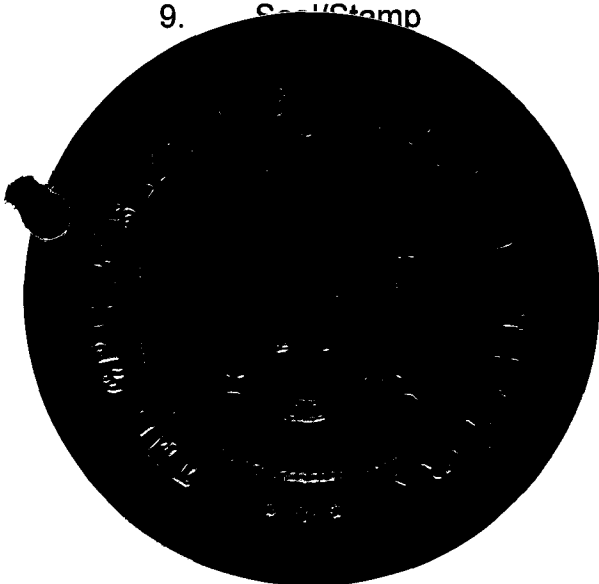
1. Country: **United States of America**
- This public document
2. has been signed by **Norman Goodman**
3. acting in the capacity of **County Clerk**
4. bears the seal/stamp of the county of **New York**

Certified

5. At New York, New York 6. the 06th day of January 2009
7. by Special Deputy Secretary of State, State of New York
8. No. NYC-10646410A
9. Seal/Stamp 10. Signature



Aqil M. Qureshi
Special Deputy Secretary of State



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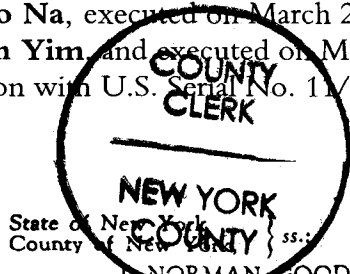
VERIFICATION

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 18, 2007 by **Sean Joo Na**, executed on March 20, 2007 by **Jude V. Paganelli**, executed on March 20, 2007 by **Jason Yim**, and executed on March 20, 2007 by **Brian Scott Bowman** to **N Spine, Inc.**, in connection with U.S. Serial No. 11/550,280, filed on October 17, 2006.



Handwritten signature

679356

Form 1

State of New York
County of New York

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

Handwritten signature

whose name is subscribed to the annexed affidavit, deposition, certificate of acknowledgment or proof, was at the time of taking the same a NOTARY PUBLIC in and for the State of New York duly commissioned, sworn and qualified to act as such; that pursuant to law, a commission or a certificate of his official character, with his autograph signature has been filed in my office; that at the time of taking such proof, acknowledgment or oath, he was duly authorized to take the same; that I am well acquainted with the handwriting of such NOTARY PUBLIC or have compared the signature on the annexed instrument with his autograph signature deposited in my office, and I believe that such signature is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand affixed my official seal this

DEC 12 2008
FEE PAID \$3.00

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

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**ASSIGNMENT
JOINT**

THIS ASSIGNMENT, by **Sean Joo NA**, residing at 4744 Keswick Ct., San Diego, California 92130, **Jude V. PAGANELLI**, residing at 4137 Tynebourne Circle, San Diego, California 92130, **Jason YIM**, residing at 238 South Helix, Solana Beach, California, 92075, and **Brian Scott BOWMAN**, residing at 1050 3rd St., Encinitas, California 92024 (hereinafter referred to as the assignors), respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in **POLY-AXIAL BONE SCREW MATING SEAT**, set forth in an application for Letters Patent of the United States, bearing Serial No. 11/550,280 and filed on October 17, 2006; and

WHEREAS, **N SPINE, INC.**, a corporation duly organized under and pursuant to the laws of **California** and having its principal place of business at 6244 Ferris Square, Suite B, San Diego, California 92121 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

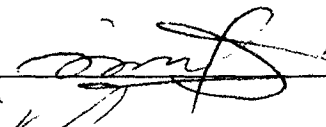
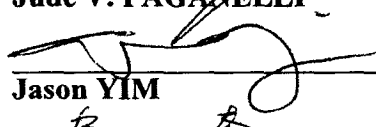
AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal

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representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

Date	<u>3/18/07</u>	
		Sean Joo NA
Date	<u>3/20/07</u>	
		Jude V. PAGANELLI
Date	<u>3/20/07</u>	
		Jason YIM
Date	<u>3/26/07</u>	
		Brian Scott BOWMAN

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REPUBLICA DE COLOMBIA
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

Folio 52

2020
Bogotá D.C.,

Doctor(a)
CASTILLO GRAU GERMAN
Apoderado(a) y/o Representante de
N SPINE INC

REFERENCIA	Radicación No.	8 106719
	Solicitud internacional	PCT/US2007/006537
	Fecha inicio fase nacional	20/10/2008
	Trámite	11
	Evento	378
	Actuación	416
	Oficio No.	9513
	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,

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

jfernand