

1

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

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 09-041602- -00006-0000

Fecha: 2009-07-31 13:23:21 Dep. 2020 NUECREACION
Tra. 11 PATENTEIYII Eve: 379 FASENACIONALII
Act. 444 RESPUESTAREQUE Folios: 18

**Re.: Expediente No. 09 41.602
Fase nacional de Solicitud
de Patente PCT a nombre de
SYNTHES GmbH
Código 011 – 379 - 444**

En relación con la solicitud contenida en el expediente de la referencia y, en particular, para dar respuesta a su requerimiento contenido en el Oficio No. 5652, expedido dentro del mismo y dentro del término conferido, por medio del presente escrito me permito manifestarle:

1. Mi representada me ha dado precisas instrucciones de modificar el título de la solicitud.

En consecuencia, junto con el presente escrito se radica el Formulario de Modificación junto con el comprobante de pago de la tasa correspondiente.

2. Acompaño copia certificada del documento donde consta la cesión del derecho a la patente de los Inventores:

- William L. Strausbaugh
- Boyd Wolf
- Thomas Pepe
- David S. Rathbun

102

– William P. McDonough

a favor de la sociedad Synthes U.S.A., LLC, 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., LLC a favor de la sociedad solicitante Synthes GmbH, debidamente firmado, autenticado por Notario Público y legalizado por Apostilla.
4. Acompaño copia certificada del documento donde consta la cesión del derecho a la patente de los Inventores:

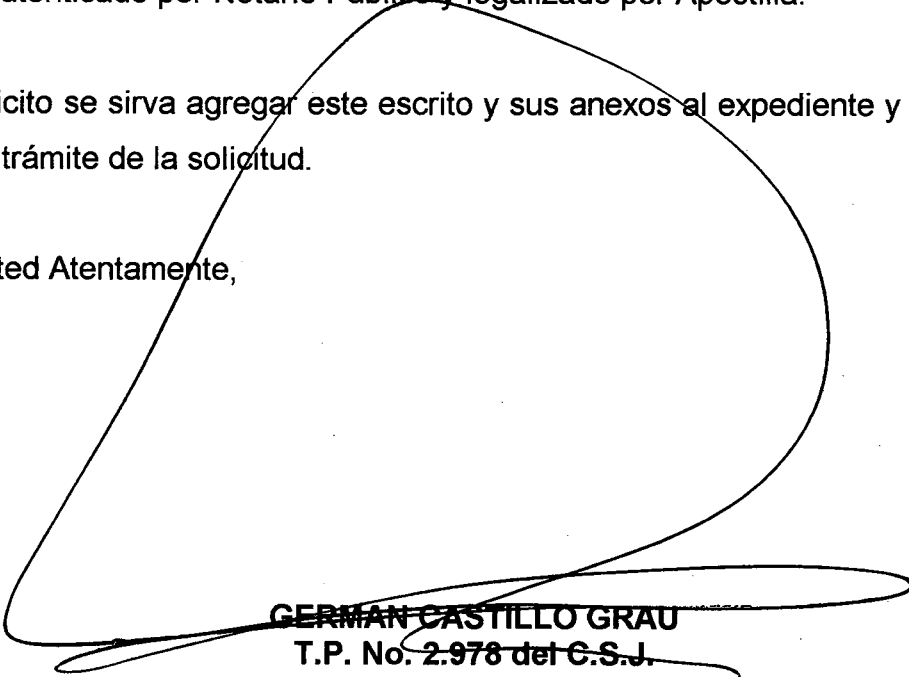
– Sean Saidha

– Christoph Roth

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)

13

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

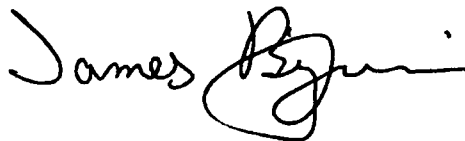
5. At New York, New York 6. the 29th day of June 2009

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

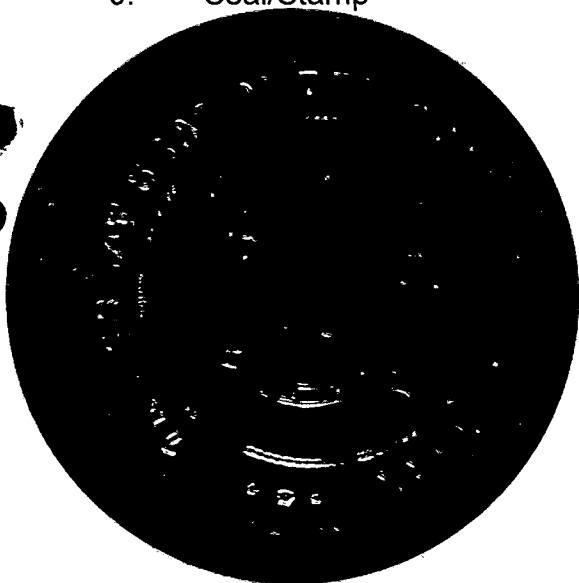
8. No. NYC-10383021B

9. Seal/Stamp

10. Signature



James Bizzarri
Special Deputy Secretary of State



104

4

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 May 11, 2009 by **William L. Strausbaugh**, executed on May 6, 2009 by **Boyd Wolf**, executed on May 6, 2009 by **Thomas Pepe**, executed on May 6, 2009 by **David S. Rathbun**, and executed on May 6, 2009 by **William P. McDonough** to **Synthes USA, LLC**, in connection with U.S. Patent Application No. 12/442,647, filed on March 24, 2009, which claims priority to PCT Application No. PCT/US2007/079426, filed on September 25, 2007, and U.S. Provisional Application No. 60/827,016, filed on September 26, 2006.

State of New York
County of New York

COUNTY CLERK
NEW YORK
COUNTY

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

JUN 25 2009

FEE PAID \$3.00

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

5

ASSIGNMENT

WHEREAS, WE, (i) **William L. Strausbaugh**, citizen of the United States, residing at 45 Village Drive, Newmanstown, PA 17073; (ii) **Boyd Wolf**, citizen of the United States, residing at 9 Barclay Drive, Turnersville, NJ 08012; (iii) **Thomas Pepe**, citizen of the United States, residing at 9 Barclay Drive, Turnersville, NJ 08012; (iv) **David S. Rathbun**, citizen of the United States, residing at 756 Pequea Avenue, Gap, PA 17527; and (v) **William P. McDonough**, citizen of the United States, residing at 23 College Avenue, Collegeville, PA 19426, ASSIGNORS, are the inventors of the invention disclosed, described and/or claimed in U.S. Patent Application No. 12/442,647, which was filed with the United States Patent and Trademark Office on March 24, 2009, entitled TRANSCONNECTOR, and all inventions described, disclosed or claimed therein (hereinafter "the Invention"), which is identified by Stroock & Stroock & Lavan LLP Attorney Docket No. 001227/1693, and which claims priority to PCT Application No. PCT/US2007/079426, filed on September 25, 2007, identified by Stroock & Stroock & Lavan LLP Attorney Docket No. 001227/1159, and, U.S. Provisional Application No. 60/827,016, filed on September 26, 2006, identified by Stroock & Stroock & Lavan LLP Attorney Docket No. 001227/0342.

AND WHEREAS, **Synthes USA, LLC**, ASSIGNEE, a Delaware Limited Liability Company organized under the laws of the State of Delaware and having a place of business at 1302 Wrights Lane East, West Chester, PA 19380, is desirous of obtaining our entire right, title and interest in, to and under all the invention(s) as described, disclosed and/or claimed in the above-identified application:

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and 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 Invention, and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for the Invention in any country, together with the right to file such applications and the right to claim for the same the priority rights derived from the application under the International Convention for the Protection of Industrial Property, the Patent Laws of the United States 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 the Invention in any country and all extensions, renewals and reissues thereof; including all applications for industrial property, 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 WE HEREBY authorize and request 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 _____

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 the 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 the Invention in all countries.

IN TESTIMONY WHEREOF, We have hereunto signed our names on the date(s) indicated opposite our respective signatures.

Date: 5/11/09

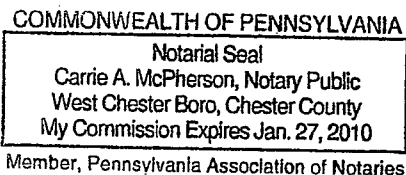
William L. Strausbaugh L.S.
William L. Strausbaugh

State of PA)
) SS:
County of Chester)

On May 11, 2009, before me Carrie A. McPherson Notary Public, personally appeared William L. Strausbaugh, 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 on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Carrie A. McPherson



Date: 5/6/09

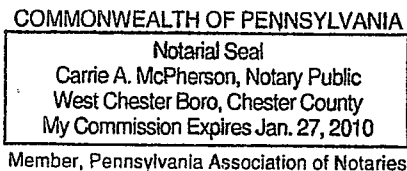
Boyd Wolf L.S.
Boyd Wolf

State of PA)
) SS:
County of Chester)

On May 6, 2009, before me Carrie A. McPherson Notary Public, personally appeared Boyd Wolf, 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 on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Carrie A. McPherson



Date: 5/6/09

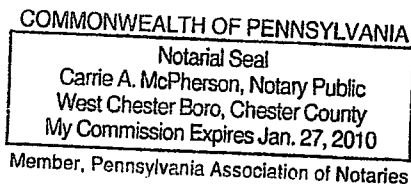
Thomas Pepe L.S.
Thomas Pepe

State of PA)
) SS:
County of Chester)

On May 6, 2009 before me Carrie A. McPherson Notary Public, personally appeared Thomas Pepe, 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 on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Carrie A. McPherson



Date: 5/6/2009

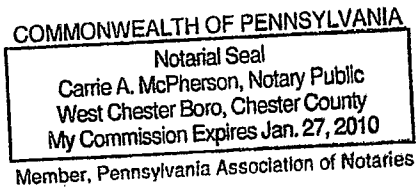
David S. Rathbun L.S.
David S. Rathbun

State of PA)
County of Chester) SS:
)

On May 6, 2009, before me Carrie A. McPherson Notary Public, personally appeared David S. Rathbun, 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 on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Carrie A. McPherson



Date: 5/6/09

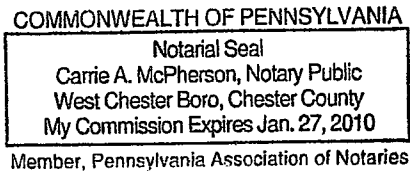
William P. McDonough L.S.
William P. McDonough

State of PA)
County of Chester) SS:
)

On May 6, 2009, before me Carrie A. McPherson Notary Public, personally appeared William P. McDonough, 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 on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Carrie A. McPherson



ASSIGNEE:

Synthes USA, LLC

8

Dennis J. Butler Authorized to sign on behalf of Synthes USA, LLC

Signature:

Dennis J. Butler

Position/Title:

Patent Counsel

Address:

1302 Wrights Lane East
West Chester, Pennsylvania 19380

Date:

May 11, 2009

Commonwealth of Pennsylvania)

) SS:

County of Chester)

On May 11, 2009, 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

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

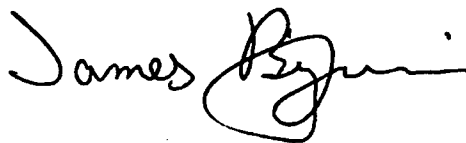
Apostille

(Convention de La Haye du 5 Octobre 1961)

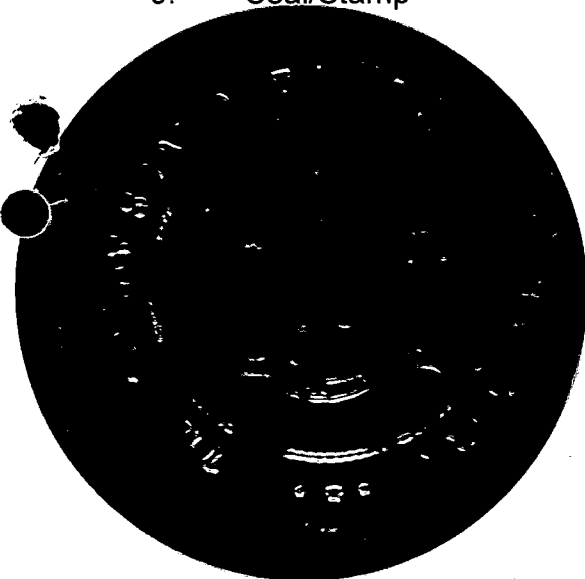
1. Country: **United States of America**
- This public document
2. has been signed by **Norman Goodman**
3. acting in the capacity of **County Clerk**
4. bears the seal/stamp of the county of **New York**

Certified

5. At New York, New York 6. the 29th day of June 2009
7. by Special Deputy Secretary of State, State of New York
8. No. NYC-10383020B
9. Seal/Stamp 10. Signature



James Bizzarri
Special Deputy Secretary of State



10

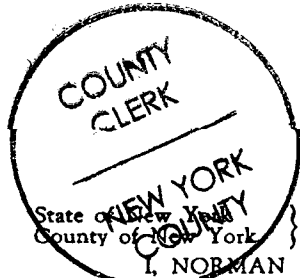
VERIFICATION

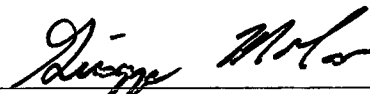
STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

I verify that the attached document identified as:

Assignment

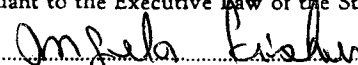
which covers corresponding foreign rights, is a true copy of the document executed on May 11, 2009 from **Synthes USA, LLC** to **Synthes GmbH** in connection with U.S. Patent Application No. 12/442,647, filed on March 24, 2009, which claims priority to PCT Application No. PCT/US2007/079426, filed on September 25, 2007, and U.S. Provisional Application No. 60/827,016, filed on September 26, 2006.




Giuseppe Molero

715348 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

JUN 25 2009


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

ASSIGNOR: Synthes USA, LLC

Dennis J. Butler Authorized to sign on behalf of Synthes USA, LLC

Signature:

Position/Title: Patent Counsel

Address: 1302 Wrights Lane East
West Chester, Pennsylvania 19380

Date:

May 11, 2009

Commonwealth of Pennsylvania)
County of Chester) SS:

On May 11, 2009, 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

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: Synthes GmbH

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

Signature:

Position/Title: Patent Counsel

Address: Eimattstrasse 3
CH-4436 Oberdorf
Switzerland

Date:

May 11, 2009

Commonwealth of Pennsylvania)
County of Chester) SS:

On May 11, 2009, 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

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

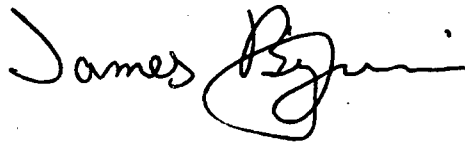
(Convention de La Haye du 5 Octobre 1961)

13

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 29th day of June 2009
7. by Special Deputy Secretary of State, State of New York
8. No. NYC-10383019B
9. Seal/Stamp
10. Signature



James Bizzarri
Special Deputy Secretary of State



114

14

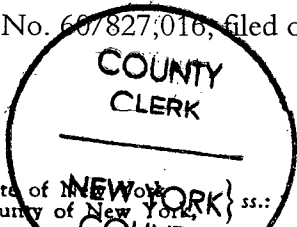
VERIFICATION

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 May 6, 2009 by **Sean Saidha**, and executed on May 5, 2009 by **Christoph Roth** to **Synthes GmbH**, in connection with U.S. Patent Application No. 12/442,647, filed on March 24, 2009, which claims priority to PCT Application No. PCT/US2007/079426, filed on September 25, 2007, and U.S. Provisional Application No. 60/827,016, filed on September 26, 2006.



9. M L

715347 Form 1

State of New York }
County of New York }

I, **NOTARY 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 Eisher

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

JUN 25 2009

FEE PAID \$3.00

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

915

15

ASSIGNMENT

WHEREAS, WE, (i) **Sean Saidha**, citizen of the United States, residing at Spiegelbergstrasse 17, Basel 4059, Switzerland; and (ii) **Christoph Roth**, citizen of Germany, residing at Geispelgasse 6B, CH-4132 Muttenz, Switzerland, ASSIGNORS, are the inventors of the invention disclosed, described and/or claimed in U.S. Patent Application No. 12/442,647, which was filed with the United States Patent and Trademark Office on March 24, 2009, entitled TRANSCONNECTOR, and all inventions described, disclosed or claimed therein (hereinafter "the Invention"), which is identified by Stroock & Stroock & Lavan LLP Attorney Docket No. 001227/1693, and which claims priority to PCT Application No. PCT/US2007/079426, filed on September 25, 2007, identified by Stroock & Stroock & Lavan LLP Attorney Docket No. 001227/1159, and, U.S. Provisional Application No. 60/827,016, filed on September 26, 2006, identified by Stroock & Stroock & Lavan LLP Attorney Docket No. 001227/0342.

AND WHEREAS, **Synthes GmbH**, ASSIGNEE, a Swiss Company, organized under the laws of Switzerland and having a place of business at Eimattstrasse 3, Oberdorf, Switzerland CH-4436, is desirous of obtaining our entire right, title and interest in, to and under all the invention(s) as described, disclosed and/or claimed in the above-identified application:

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and 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 Invention, and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for the Invention in any country, together with the right to file such applications and the right to claim for the same the priority rights derived from the application under the International Convention for the Protection of Industrial Property, the Patent Laws of the United States 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 the Invention in any country and all extensions, renewals and reissues thereof; including all applications for industrial property, 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 WE HEREBY authorize and request 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 _____

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 the 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 the Invention in all countries.

IN TESTIMONY WHEREOF, We have hereunto signed our names on the date(s) indicated opposite our respective signatures.

clg

Date: 6.5.09

Sean Saidha L.S.
Sean Saidha

WITNESS:

Esther Jakob
(Printed Name)

(Signature)

Date: May 6, 2009

Christoph Roth L.S.
Christoph Roth

WITNESS:

Esther Jakob
(Printed Name)

(Signature)

Date: May 5, 2009

16

117

ASSIGNEE: Synthes GmbH

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

Signature:

Position/Title:

Patent Counsel

Address:

Eimattstrasse 3
CH-4436 Oberdorf
Switzerland

Date:

May 15, 2009

WITNESS:

Carrie A. Milano
(Printed Name)

Carrie A. Milano
(Signature)

Date: May 15, 2009