

4-24-98

1. ACQUISITION OF FORM PTO-1595		RECOI	06-01-1998	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	
				100724793	
		To the Honorable Commissioner of Patents and Trademark Office: Please record the attached original documents or copy thereof.			
4. Name of conveying party(ies):  LYNN M. SWEDBERG KEVIN W. BORK		5. Name and address of receiving party(ies): Name: <u>SMITH &amp; NEPHEW, INC.</u> Internal Address: _____ Street Address: <u>1450 Brooks Road</u> City: <u>Memphis</u> State: <u>TN</u> Zip: <u>38116</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
6. Nature of conveyance:  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____					
Execution Date: <u>March 31, 1998 &amp; April 3, 1998</u>					
10. Application number(s) or patent number(s):  If this document is being filed together with a new application, the execution date of the application is:  A. Patent Application No(s). <u>29/080,921</u>					
B. Patent No(s).  					
Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
11. Name and address of party to whom correspondence concerning document should be mailed:  Name: <u>Jan K. Simpson</u>  Internal Address: <u>Pravel, Hewitt, Kimball &amp; Krieger</u>  Street Address: <u>1177 W. Loop South, 10<sup>th</sup> Floor</u>  City: <u>Houston</u> State: <u>TX</u> Zip: <u>77027-9095</u>		12. Total number of applications and patents involved: ..... <u>1</u>  13. Total fee (37 C.F.R. § 3.41) ..... \$ <u>40</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account  14. Deposit account number: <u>16-2435</u> (Attach duplicate copy of this page if paying by deposit account)			
DO NOT USE THIS SPACE					
15. Statement and signature.  To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.   Jan K. Simpson, Reg. No. 33,283  Date: <u>4-21-98</u>  Total number of pages including cover sheet, attachments and document: <u>4</u>					
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## ASSIGNMENT

WHEREAS, we, LYNN M. SWEDBERG and KEVIN W. BORK, are joint inventors of ARM POSITIONING SPLINT application for United States Design Patent application Serial No. 29/080,921, filed December 19, 1997; and

WHEREAS, SMITH & NEPHEW, INC., a corporation created and existing under and by virtue of the laws of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) to us in hand paid by SMITH & NEPHEW, INC. and for other good and valuable considerations, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over to SMITH & NEPHEW, INC., all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, reexaminations and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by SMITH & NEPHEW, INC. for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives, to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted, reexamined or reissued, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, and reissues thereof, to SMITH & NEPHEW, INC., as assignee of our entire interest, and hereby covenant that we have the 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 further hereby covenant and agree that we will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to SMITH & NEPHEW, INC., its successors, assigns, or other legal representatives and that if SMITH & NEPHEW, INC., its successors, assigns or other legal representatives shall desire to file any divisional or continuation applications or to secure a reexamination or reissue of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional or continuation application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And we do further covenant and agree that we will, at any time upon request, communicate to SMITH & NEPHEW, INC., its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to us, and testify as to the same in any interference or other litigation when requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

EXECUTED THIS 31<sup>ST</sup> day of March, 1998.

Lynn M. Swedberg  
LYNN M. SWEDBERG

STATE OF WASHINGTON §  
COUNTY OF Spokane §

BEFORE ME, the undersigned authority, on this day personally appeared LYNN M. SWEDBERG, known to be to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this 31<sup>st</sup> day of March, 1998

Michael D. Weber  
NOTARY PUBLIC IN AND FOR THE  
STATE OF WASHINGTON  
My commissioner expires 8-20-2000

\* \* \* \* \*

EXECUTED THIS 3<sup>RD</sup> day of APRIL, 1998.

Kevin W. Bork  
KEVIN W. BORK

STATE OF WISCONSIN §  
COUNTY OF WASHINGTON §

BEFORE ME, the undersigned authority, on this day personally appeared KEVIN W. BORK, known to be to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this 3<sup>RD</sup> day of APRIL, 1998.

Mary C. Daly  
NOTARY PUBLIC IN AND FOR THE  
STATE OF WISCONSIN  
My commission expires 10-28-2001