

09-23-1999



101152679

Attorney Docket Number  
8932-039

MRD 9-21-99

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS  
Box Assignment  
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Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies): <b>Inga Häfeli</b></p> <p>Additional name(s) of conveying party(ies) attached <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: <u>SYNTHES U.S.A.</u></p> <p>Address: <u>1690 Russell Road, Paoli Pennsylvania 19301</u></p> <p>Country (if other than USA): _____</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger</p> <p><input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name</p> <p><input type="checkbox"/> Other _____</p> <p>Execution Date: <u>August 26, 1999</u></p>	
<p>4. Application number(s) or patent number(s): <u>09/238,168</u></p> <p>If this document is being filed together with a new application, the execution date of the application is: _____</p> <p>A. Patent Application No.(s) _____ B. Patent No.(s) _____</p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>PENNIE &amp; EDMONDS LLP 1667 K Street, N.W. Washington, D.C. 20006</p>	<p>6. Number of applications and patents involved: <u>One</u></p> <p>7. Total fee (37 CFR 3.41):.....\$ <u>40.00</u> Please charge to the deposit account listed in Section 8.</p> <p>8. Deposit account number: <u>16-1150</u></p>

DO NOT USE THIS SPACE

9. 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. *By Karen W. Jones Reg # 40,038*

Allan A. Fanucci  
Name of Person Signing Reg. No. 30,256

Allan A. Fanucci  
Signature

September 21, 1999  
Date

Total number of pages including cover sheet: Three

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01 FC:581 40.00 CH

Documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignment  
Washington, D.C. 20231

ASSIGNMENT

WHEREAS, WE, Max Aebi, citizen of Canada, residing at 687 Pine Avenue West, Room S9.30, Montreal, Quebec H3A 1A1; John S. Thalgott, citizen of the United States, residing at 600 South Ranch Drive, Suite 107, Las Vegas, Nevada 89106; Inga Häfeli, citizen of Switzerland, residing at Muttriweg 2, 8855 Wangen, Switzerland, ASSIGNORS, are the inventors of the invention in PROSTHETIC INTERBODY SPACER for which we have executed an application for a Patent of the United States

- [X] which is executed on even date herewith and
[X] which was filed in the United States on January 28, 1999 as Application No. 09/238,168 and is identified by Pennie & Edmonds LLP docket no. 8932-039

and WHEREAS, SYNTHES U.S.A., a general partnership existing under the laws of the State of Pennsylvania and having a place of business at 1690 Russell Road, Paoli, Pennsylvania 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 of Patents and Trademarks of the United States, 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, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date \_\_\_\_\_, 1999 \_\_\_\_\_ Signature
Max Aebi

Signature witnessed by: \_\_\_\_\_
(signature and printed name)

Signature witnessed by: \_\_\_\_\_
(signature and printed name)

Date 26.8.99, 1999 \_\_\_\_\_ Signature
Inga Häfeli

Signature witnessed by: BEAT LECHMANN \_\_\_\_\_
(signature and printed name)

Signature witnessed by: Robert Frigg \_\_\_\_\_
(signature and printed name)

Date \_\_\_\_\_, 1999 \_\_\_\_\_ Signature.  
John S. Thalgott

Signature witnessed by: \_\_\_\_\_  
(signature and printed name)

Signature witnessed by: \_\_\_\_\_  
(signature and printed name)