

09-19-2000



FORM PTO-1595
(Rev. 6-93)
OMB No. 0651-0011 (exp. 4/94)

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies): <i>ms</i></p> <p>(1) Edward J. Cheal (2) George B. Cipolletti <i>8.28.00</i></p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies)</p> <p>Name: Apex Surgical, LLC</p> <p>Internal Address:</p> <p>Street Address: 39 Taunton Green - Suite 202</p> <p>City: <u>Taunton</u> State: <u>MA</u> ZIP: <u>02780</u></p> <p>Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p> <p>Execution Date: (1) <u>July 17, 2000</u> (2) <u>July 17, 2000</u></p>	

4. Application number(s) or patent number(s):	
A. Patent Application No.(s) 09/583,805	B. Patent No.(s)
Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <u>Edward J. Kelly</u></p> <p>Telephone: <u>(617) 832-1000</u></p> <p>Internal Address: <u>Foley, Hoag & Eliot LLP</u></p> <p>Street Address: <u>One Post Office Square</u></p> <p>City: <u>Boston</u> State: <u>MA</u> ZIP: <u>02109</u></p>	<p>6. Total number of applications and patents involved:</p> <p>7. Total fee (37 CFR 3.41).....\$40.00 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: <u>06-1448</u></p> <p>Attach duplicate copy of this page if paying by deposit account</p>
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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.*

M. Sharon Webb
Name of Person Signing

[Signature]
Signature

8/22/00
Date

Total number of pages including cover sheet, attachments, and document: 4

09/19/2000 NTHRI1 00000022 09583805

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Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents and Trademarks, Box Assignments
Washington, D.C. 20231

PATENT
REEL: 011069 FRAME: 0461

ASSIGNMENT

We, Edward J. Cheal of Duxbury, Massachusetts and George B. Cipolletti of Duxbury, Massachusetts, for valuable consideration received from Apex Surgical, LLC, a corporation of the state of Massachusetts, having its principal place of business at 39 Taunton Green, Suite 202, Taunton, Massachusetts 02780, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said

Apex Surgical, LLC

its successors and assigns, the entire interest for the United States of America and all foreign countries including all rights of priority under the International Convention for the Protection of Industrial Property in a certain invention or improvement in

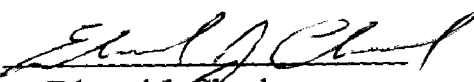
"Implantable Joint Prosthesis"

described in application Serial No. 09/583,805 filed on May 30, 2000 in the United States Patent and Trademark Office, and in all Letters Patent of the United States and all foreign countries which may or shall be granted on said invention, or any parts thereof, or on said application, or any divisional, continuing, reissue or other applications based in whole or in part thereon. And we agree, for ourselves and our executors and administrators, with said corporation and its successors and assigns but at its or their expense and charges, hereafter to execute all applications, amended specifications, deed or other instrument, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and in all other countries to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

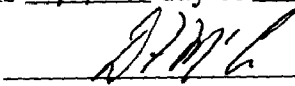
And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand this 17 day of July, 2000.

By:


Edward J. Cheal

Then personally appeared the above-named Edward J. Cheal and acknowledged the foregoing instrument to be his free act and deed, before me, this 17 day of July, 2000.


Witness signature

Diana F. McCue

Witness Name (please print)

WITNESS my hand this 17 day of July, 2000.

By: George B. Cipolletti

George B. Cipolletti

Then personally appeared the above-named George B. Cipolletti and acknowledged the foregoing instrument to be his free act and deed, before me, this 17 day of July, 2000.

Diana F. McLe
Witness signature

Diana F. McLe
Witness Name (please print)

FOLEY, HOAG & ELIOT LLP

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BOSTON, MASSACHUSETTS 02109-2170

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WASHINGTON, D.C. 20006
TEL: 202-223-1200
FAX: 202-785-6687

August 21, 2000

Box Assignment
Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/583,805
Title: Implantable Joint Prosthesis
Applicant(s): Edward J. Cheal and George B. Cipolletti
Attorney Docket No.: APK-001.01 (22697-101)

Dear Sir/Madam:

I enclose herewith for filing in the above-identified application the following:

1. One Executed Assignment to Apex Surgical, LLC;
2. One Recordation Form Cover Sheet; and
3. Check for \$40.00.

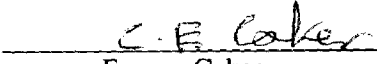
Please charge any necessary fees to our Deposit Account No. 06-1448. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

Certificate of First Class Mailing

I hereby certify that one Executed Assignment; one Recordation Form Cover Sheet; one Check for \$40; this Transmittal letter; and one return postcard is deposited with the United States Postal Service as first class Mail in an envelope addressed to: Assistant Commissioner for Patents, Box Assignment, Washington, DC 20231 on:

8/21/00

Date


Eugene Coker

Respectfully submitted,

FOLEY, HOAG & ELIOT LLP



M. Sharon Webb, M.D.
Registration No.: P-47,172

CC 1

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8/21/00
Date

E. E. Coker
Eugene Coker

Respectfully submitted,

FOLEY, HOAG & ELIOT LLP



M. Sharon Webb, M.D.
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