

08-20-2001

Attorney Docket Number
8932-299

101816372

REMARKS

Box Assignment
Washington, DC 20231

TO THE HONORABLE

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

David Gerber, Dominique Messerli and David Paul

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: Synthes AG CHURAddress: Grabenstrasse 15, CH-7002 ChurCountry (if other than USA): Switzerland

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other _____Name: Synthes (USA)Address: 1690 Russell RoadPaoli, PA 19301

Country (if other than USA): _____

Execution Date: 7/25/01 & 7/27/01 respectively

4. 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) 09/848,178

B. Patent No.(s) _____

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, NY 10036

6. Number of applications and patents involved: _____

7. Total fee (37 CFR 3.41):.....\$ 40.00
Please charge to the deposit account listed in Section 8.8. Deposit account number:
16-1150

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.

Brian M. Poissant28,462

Name of Person Signing Reg. No.

Signature

Date

August 7, 2001

Total number of pages including cover sheet:

4

08/17/2001 DBYRME 00000141 161150 09848178

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, **David GERBER and Dominique MESSERLI**, ASSIGNORS, both citizens of **SWITZERLAND**, residing at **Alpsteinstrasse 4, CH Arborn, Switzerland; and 300 Anglesey Terrace, West Chester, PA 19380**; respectively, and **David PAUL**, ASSIGNOR, citizen of **INDIA**, residing at **405 Green Lane, Phoenixville, PA 19460** are the inventors of the invention in **INTERVERTEBRAL IMPLANT FOR TRANSFORAMINAL POSTERIOR LUMBAR INTERBODY FUSION PROCEDURE**, for which an application for a Patent of the United States has been executed

- ☒ which was filed on May 3, 2001, Application No. 09/848,178; and
- ☒ which is identified by Pennie & Edmonds LLP docket no. 8932-299.

AND WHEREAS, **SYNTHES AG CHUR**, ASSIGNEE, having a registered office and place of business at **Grabenstrasse 15, CH-7002 Chur, Switzerland**, is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application in all geographic locations except the United States and its possessions and territories, Canada and its possessions and territories, the Bahamas, and Bermuda, (hereinafter "the excluded geographic locations")

AND WHEREAS, **SYNTHES (USA)**, ASSIGNEE, a General Partnership existing under the laws of the Commonwealth of Pennsylvania and having a place of business at **1690 Russell Road, Paoli, PA 19301**, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application in the excluded geographic locations:

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: (1) unto the said **SYNTHES (USA)**, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention in the excluded geographic locations, 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 in the excluded geographic locations, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country in the excluded geographic locations, 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 in the excluded geographic locations, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country in the excluded geographic locations and all extensions, renewals and reissues thereof, and

(2) unto the said **SYNTHES AG CHUR**, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention in all geographic locations except the excluded geographic locations; and all applications for industrial property protection in all geographic locations except the excluded geographic locations, 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 in all geographic locations except the excluded geographic locations, 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 in all geographic locations except the excluded geographic locations, including, without limitation, patents, utility models, inventors' certificates and designs

NY2 - 1219189.1

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 respective ASSIGNEES, their 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 ASSIGNEES, their 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 ASSIGNEES, their 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 7/25/01, 2000 D. Gerber L.S.
David GERBER

State of Penna.)
County of Chester) SS.:

In the State of Penna. county of Chester,
on 7/25/01, before me, Kathleen B. Pavlik Notary Public, personally appeared **David GERBER**, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their 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

Kathleen B. Pavlik

Notarial Seal
Kathleen B. Pavlik, Notary Public
Tredyffrin Twp., Chester County
My Commission Expires Apr. 28, 2003

Member, Pennsylvania Association of Notaries

Date 7/25/01, 2000 D. Messerli L.S.
Dominique MESSERLI

State of Penna.)
County of Chester) SS.:

In the State of Penna. county of Chester,
on 7/25/01, before me, Kathleen B. Pavlik Notary Public, personally appeared **Dominique MESSERLI**, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Notarial Seal
Kathleen B. Pavlik, Notary Public
Tredyffrin Twp., Chester County
My Commission Expires Apr. 28, 2003
Member, Pennsylvania Association of Notaries

WITNESS my hand and official seal

Kathleen B. Pavlik

Date 7/27/01, 2000 David PAUL L.S.

State of Penna.)

County of Chester) SS.:

In the State of Penna., county of Chester, on 7/27/01, before me, Kathleen B. Pavlik, Notary Public, personally appeared **David PAUL**, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their 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

Kathleen B. Pavlik

Notarial Seal
Kathleen B. Pavlik, Notary Public
Tredyffrin Twp., Chester County
My Commission Expires Apr. 28, 2003

Member, Pennsylvania Association of Notaries

NY2 - 1219189.1

RECORDED: 08/07/2001

PATENT
REEL: 012071 FRAME: 0762