

07-05-2002

OVIT-0211



FEET

102144000

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

1. Name of conveying party(ies):

Erik M. Erbe June 14, 2002  
First Assignor Date of Execution

James P. Murphy June 13, 2002  
Second Assignor Date of Execution

Gregory J. Pomrink June 14, 2002  
Third Assignor Date of Execution

7.2.02  
Fourth Assignor Date of Execution

Fifth Assignor Date of Execution

Sixth Assignor Date of Execution

Additional name(s) of conveying party(ies) attached? ( ) YES (X) NO

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

Name: Vita Special Purpose Corporation

Street Address: 300 Delaware Avenue, Suite 900

City: Wilmington

State Delaware ZIP 19801

Additional name(s) & address attached? ( ) YES (X) NO

3. Nature of Conveyance (check only one):

(X) New Assignment ( ) Merger  
( ) License Agreement ( ) Security Agreement  
( ) Change of Name ( ) Other:

( ) Cross-reference of Assignment filed in United States  
Application No. \_\_\_\_\_, recorded on \_\_\_\_\_ at  
Reel No. \_\_\_\_\_ and Frame No. \_\_\_\_\_

4. Identification of Application number(s), patent number(s) OR date of execution of application to which assignment refers:

Application Nos.: 10/127,947

Patent Nos.:

Date application was signed by the first named executing inventor

(Fill-in this date only if assignment is filed together with a new application)

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

Name: Richard D. Watkins  
WOODCOCK WASHBURN LLP  
One Liberty Place - 46th Floor  
Philadelphia, Pennsylvania 19103-7301  
215-568-3100

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):.....\$40.00  
(X) Enclosed  
( ) Authorized to be charged to Deposit Account Number 23-3050

8. Please charge any deficiency or credit any overpayment to Deposit Account Number 23-3050

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.*

Richard D. Watkins/50,993 6/25/02  
Name of Person Signing/Reg. No. Signature Date

Total number of pages including cover sheet, assignment document and additional pages attached thereto: 5

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

0770572002 ENDELLER 00000030 10127947  
01 FC:581 40.00 OP

PATENT  
REEL: 013042 FRAME: 0301

ASSIGNMENT

WHEREAS, we **Erik M. Erbe; James P. Murphy; and, Gregory J. Pomrink**, hereinafter referred to as the assignors, residing respectively at **1247 Berwyn-Paoli Road, Berwyn, Pennsylvania 19312; 25 Grove Lane, Broomall, Pennsylvania 19008; and, 104 Durham Way, Lansdale, Pennsylvania 19446** are the joint inventors of certain inventions or improvements for which we have made application for Letters Patent to the United States, identified as Serial No. **10/127,947**, filed **April 23, 2002**, entitled **Spinal Implant Material and Method of Manufacture Thereof**; and

WHEREAS, **Vita Special Purpose Corporation**, hereinafter referred to as the assignee, of **300 Delaware Avenue, Suite 900, Wilmington, Delaware 19801**, a corporation of **Delaware**, is desirous of acquiring the entire right, title and interest in and to the said inventions or improvements and in and to the said application, and in, to and under any and all Letters Patent which may be granted on or as a result thereof in any and all countries:

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) to each of us in hand paid by said assignee, 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 to said assignee, the entire right, title and interest in and to said inventions or improvements and said application and any and all continuations, divisions and renewals of and substitutes for said application, and in, to and under any and all Letters Patent which may be granted on or as a result thereof in the United States and any and all other countries, and any reissue or reissues or extension or extensions of said Letters Patent, and assign to and authorize said assignee, to file in our names applications for Letters Patent in all countries, the same to be held and enjoyed by said assignee, its successors, assigns, nominees or legal representatives, to the full end of the term or terms for which said Letters Patent respectively may be granted, reissued or extended, as fully and entirely as the same would have been held and enjoyed by us had this assignment, sale and transfer not been made.

AND we hereby covenant 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 further covenant and agree that we will each time request is made and without undue delay, execute and deliver all such papers as may be necessary or desirable to perfect the title to said inventions or improvements, said application and said Letters Patent to said assignee, its successors, assigns, nominees, or legal representatives, and each of us agrees to communicate to said assignee or to its nominee all known facts respecting said inventions or improvements, said application and said Letters Patent, to testify in any legal proceedings, to sign all lawful papers to execute all disclaimers and divisional, continuing, reissue and foreign applications, to make all rightful oaths, and generally to do everything possible to aid said

assignee, its successors, assigns, nominees and legal representatives to obtain and enforce for its or their own benefit proper patent protection for said inventions or improvements in any and all countries.

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 on applications as aforesaid, to issue to said assignee, as assignee of the entire right, title and interest, any and all Letters Patent for said inventions or improvements, including any and all Letters Patent of the United States which may be issued and granted on or as a result of the application aforesaid, in accordance with the terms of this assignment.

AND this Assignment may be executed in multiple counterparts, each of which shall be deemed to be an original of this Assignment. Additionally, we hereby authorize our attorneys to collect the signature pages of each executed counterpart and to attach those signature pages to a single copy of this instrument, which single copy and attached signature pages together shall constitute an original of this Assignment.

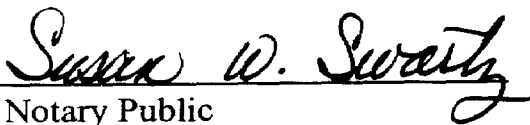
IN WITNESS WHEREOF, we have hereunto set our hands and seals.

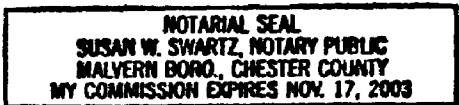
14 June 2002  
Date

 (L.S.)  
Erik M. Erbe

STATE OF \_\_\_\_\_ :  
: SS  
COUNTY OF \_\_\_\_\_ :

On this 14 day of JUNE, year of ~~2002~~ before me personally came the above named Erik M. Erbe to me personally known and known to me to be the same individual who executed the foregoing assignment, and who acknowledged to me that execution of the same was of that person's own free will for the use and purposes therein set forth.

  
Notary Public



13 Jun 02  
Date

*James P. Murphy* (L.S.)  
James P. Murphy

STATE OF \_\_\_\_\_ :  
: SS  
COUNTY OF \_\_\_\_\_ :

On this 13 day of June, year of ~~2002~~ before me personally came the above named James P. Murphy to be personally known and known to me to be the same individual who executed the foregoing assignment, and who acknowledged to me that execution of the same was of that person's own free will for the use and purposes therein set forth.

*Susan Swartz*  
Notary Public

NOTARIAL SEAL  
SUSAN W. SWARTZ, NOTARY PUBLIC  
MALVERN BORO., CHESTER COUNTY  
MY COMMISSION EXPIRES NOV. 17, 2003

14-JUN-02  
Date

Gregory J. Pomrink (L.S.)  
Gregory J. Pomrink

STATE OF \_\_\_\_\_ :  
: SS  
COUNTY OF \_\_\_\_\_ :

On this 14 day of JUNE, year of ~~100~~ before me personally came the above named Gregory J. Pomrink to me personally known and known to me to be the same individual who executed the foregoing assignment, and who acknowledged to me that execution of the same was of that person's own free will for the use and purposes therein set forth.

Susan Swartz  
Notary Public

