

A S S I G N M E N T

Serial No. 10/401,854
Filed 3/28/2003

WHEREAS, Jeffrey Sutton of 8 Longmeadow Lane, Medway, MA 02053; Thomas Ryan of 16 Fieldstone Place, Flemington, NJ 08822; Samit Patel of 488 Rt. 38 East, Maple Shade, NJ 08052; and Richard Pellegrino of 33 Northbridge Road, Mendon MA 01756; (hereinafter called "Assignors"), have made certain new and useful inventions or discoveries relating to

Windowed Thermal Ablation Probe

for which they filed an application USSN 10/401,854 on 03/28/2003, and for which they have executed an application for Letters Patent of the United States; and

WHEREAS, DePuy AcroMed, Inc., a corporation of the State of Ohio, (hereinafter called "Assignee"), is desirous of acquiring Assignors' entire right, title, and interest therein:

NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar and other valuable considerations to them moving, the receipt of which is hereby acknowledged, Assignors have sold, assigned, and transferred, and do hereby sell, assign and transfer unto said Assignee their entire right, title and interest in and to all said inventions and discoveries disclosed in said application whose identification above by serial number and filing date, when available is hereby authorized, and in and to said application, all substitutions, divisions, and continuations thereof, and in and to all Letters Patent, United States and foreign, that may be granted for said inventions and discoveries, and in and to all extensions, renewals, and reissues thereof, the same to be held and enjoyed by said Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignors if this Assignment and sale had not been made;

And Assignors hereby authorize and request the Commissioner of Patents of the United States to issue said Letters Patent in accordance with this Assignment;

And for the consideration aforesaid, Assignors covenant and agree with said Assignee that he has a full and unencumbered title to the inventions and discoveries above

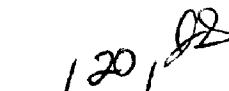

described and hereby assigned, which title they warrant unto said Assignee, its successors and assigns;

And for the consideration aforesaid, Assignors further covenant and agree that they will, whenever requested, but without cost to them promptly communicate to said Assignee or its representatives any facts known to them relating to said inventions and discoveries, testify in any interference or legal proceedings involving said inventions and discoveries, and execute any additional papers that may be necessary to enable said Assignee or its representatives, successors, nominees, or assigns to secure full and complete protection for the said inventions and discoveries or that may be necessary to vest in said Assignee the complete title to the said inventions and discoveries and patents hereby conveyed and to enable it to record said title.

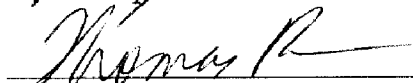
IN TESTIMONY WHEREOF, Assignors have hereunto set their hands and seals on the date indicated below.



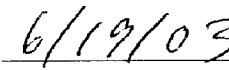
Jeffrey Sutton

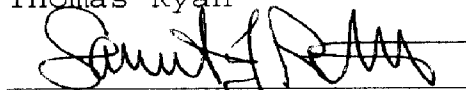
Date



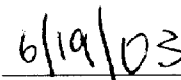
Thomas Ryan



Date



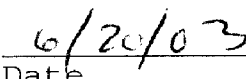
Samit Patel



Date



Richard Pellegrino



Date

COMMONWEALTH OF MASSACHUSETTS)
) ss.
COUNTY OF BRISTOL)

BE IT REMEMBERED, That on this 20th day of June, 2003, before me, a Notary Public, personally appeared Jeffrey Sutton, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.

Karen M. Day
Notary Public
My commission expires 10/2/03

STATE OF NEW JERSEY)
) ss.
COUNTY OF SOMERSET)

BE IT REMEMBERED, That on this 19th day of JUNE, 2003, before me, a Notary Public, personally appeared Thomas Ryan, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.

Robert J. Tannhauser
Notary Public
My commission expires OCT 18, 2004

ROBERT J. TANNHAUSER
Notary Public Of New Jersey
My Commission Expires 10/18/2004

STATE OF NEW JERSEY)
) ss.
COUNTY OF SOMERSET)

BE IT REMEMBERED, That on this 19th day of JUNE, 2003, before me, a Notary Public, personally appeared Samit Patel, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.

Robert J. Tannhauser
Notary Public
My commission expires OCT 18, 2004

ROBERT J. TANNHAUSER
Notary Public Of New Jersey
My Commission Expires 10/18/2004

COMMONWEALTH OF MASSACHUSETTS)
) ss.
COUNTY OF BRISTOL)

BE IT REMEMBERED, That on this 20th day of June, 2003, before me, a Notary Public, personally appeared Richard Pellegrino, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.

Haren M. Day
Notary Public
My commission expires 10/2/03