

07-16-2003

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

102497493

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

## 1. Name of conveying party(ies):

Smith &amp; Nephew, Inc.

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

## 3. Nature of Conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date: December 4, 1997

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

Name: United States Surgical Corporation

Internal Address:

Street Address:

150 Glover Avenue

City: Norwalk

State: CT

Country: United States

Zip: 06856

Additional name(s) &amp; address(es) attached:

☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the new application is:

A. Patent Application No.(s):

B. Patent No.(s):

5,474,551

Additional numbers attached? ☐ Yes ☒ No

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

Name: Keith E. Gilman  
LERNER, DAVID, LITTENBERG, KRUMHOLZ &  
MENTLIK, LLP

Street Address: 600 South Avenue West

City:  
WestfieldState:  
NJZip:  
07090

## 6. Total number of applications and patents involved:

1

## 7. Total fee (37 CFR 3.41)

\$ 40.00

☐ Enclosed☒ Authorized to be charged to deposit account☐ Authorized to be charged to credit card  
(Form 2038 enclosed)

## 8. Deposit account number:

12-1095

(Attach duplicate copy of this page if paying by deposit account)

## 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.*Keith E. Gilman  
Name of Person Signing

Signature

July 11, 2003  
Date

Total number of pages including cover sheet, attachments, and documents: 5

OFFICE OF PUBLIC RECORDS  
2003 JUL 14 AM 9:45  
FINANCE SECTION

07/16/2003 07:00:11 00000036 121095 5474551

01 PG:0021 40.00 00

## **ASSIGNMENT OF PATENT**

THIS ASSIGNMENT OF PATENTS is effective this 7th day of September, 1997, by and between Smith & Nephew, Inc., a Delaware corporation having its principal place of business at 1450 Brooks Road, Memphis, TN ("Assignor"), and United States Surgical Corporation, a Delaware corporation having its principal place of business at 150 Glover Avenue, Norwalk, CT ("Assignee").

WHEREAS, Assignor and Assignee are parties to a certain Asset Purchase Agreement dated as of September 7, 1997 (the "Purchase Agreement"), pursuant to which Assignee has agreed to purchase certain assets of Assignor, and Assignor has agreed to cause the same to be transferred, assigned and contributed to Assignee;

WHEREAS, Assignor owns the right, title and interest in and to and is the co-owner of the patents listed on Schedule A, attached hereto and incorporated herein (the "Patents");

WHEREAS, pursuant to the Purchase Agreement, Assignor desires to assign and transfer to Assignee all of its right, title and interest in and to the Patents, and Assignee is desirous of acquiring the same.

NOW, THEREFORE, for the foregoing recited consideration and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby assign, sell and transfer to Assignee all of its right, title and interest in and to the Patents, including any applications, continuations, continuations-in-part, divisions, renewals, reissues and extensions thereof. Assignor does further consent to the recordation of this Assignment by Assignee with the United States Commissioner of Patents or any similar foreign governmental agency.

IN WITNESS WHEREOF Assignor and Assignee have  
executed this assignment as of the date first written above.

SMITH & NEPHEW, INC.

By: Joel Petrow

Name:

Title:

Joel Petrow

Assistant Secretary

UNITED STATES SURGICAL CORPORATION

By: Thomas R. Brenner

Name: Thomas R. Brenner

Title: Senior Vice President & General Counsel

State of Tennessee

County of Shelby

SS

On this 4<sup>th</sup> day of December 1997, before  
me personally came Joel Petrow to me  
known, who, being by me first duly sworn, did depose and say  
that he is the Assistant Secretary of Smith & Nephew,  
forgoing instrument; and that he signed his name to such  
instrument by order of the Board of Directors of such  
corporation.

Cheryl A. Dyer  
Notary Public

My Commission expires: JANUARY 25, 2000

AFFIX SEAL

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss

On this 24 day of December 1997, before me personally came THOMAS R. FREEMAN to me known, who, being by me first duly sworn, did depose and say that he is the SENIOR VICE PRESIDENT & GENERAL COUNSEL of United States Surgical Corporation, forgoing instrument; and that he signed his name to such instrument by order of the Board of Directors of such corporation.

Richard Hutchens Halliday  
Notary Public

My Commission expires: 8/31/2000

AFFIX SEAL

**SCHEDULE A**  
**ASSIGNED U.S. PATENT**

Title

Patent Number

Our Ref:

Universal Coupler for Spinal Fixation  
(License by Dr. Finn/Assignment from Scott Sherman)

5,474,551

1968