

REC

05-24-2004

SHEET

Docket No.: 3518.1020-000



To the Director of the U.S. Patent

102751315

and original documents or copy thereof.

1. Name of conveying party(ies)

S.20-04

- 1) EDWARD B. ZALENSKI
- 2) DALE W. FRANK
- 3) MICHAEL D. SORRENTI
- 4) ALEXANDER GRINBERG

2. Name and address of receiving party(ies)

Name: DEPUY SPINE, INC.

Internal Address:

Additional name(s) of conveying party(ies) attached? [] Yes [X] No

3. Nature of conveyance:

- [X] Assignment [] Merger
[] Security Agreement [] Change of Name
[] Other

Street Address: 325 PARAMOUNT DRIVE

City: RAYNHAM State: MA ZIP: 02767

Execution Date: 1) 1/26/04; 2) 5/12/04; 3) 1/26/04;
4) 1/27/04

Additional name(s) & address(es) attached? [] Yes [X] 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 application is:

A. Patent Application No.(s)

10/750,173

B. Patent No.(s)

Additional numbers attached? [] Yes [X] No

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

Name: N. Scott Pierce, Esq.

Internal Address:

Hamilton, Brook, Smith & Reynolds, P.C.

Street Address: 530 Virginia Road, P.O. Box 9133

City: Concord State: MA ZIP: 01742-9133

6. Total number of applications and patents involved: [1]

7. Total Fee (37 C.F.R. 3.41)..... \$ 40.00

[X] Enclosed

[X] Authorized to charge any deficiencies or credit any overpayment to deposit account number 08-0380

[] Authorization to charge deposit account number 08-0380

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8. 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.

Joseph M. Maraia

Name of Person Signing

05/21/2004 6TON11 00000026 10750173

01 FC:0021

Signature

Date

5/18/04

40.00 00
Total number of pages including cover sheet, attachments, and document: [9]

PATENT
REEL: 015347 FRAME: 0080

JointASSIGNMENT

WHEREAS, we, **Edward B. Zalenski, Dale W. Frank, Michael D. Sorrenti and Alexander Grinberg**, have invented a certain improvement in **Insertor Instrument and Implant Clip** described in an application for Patent,

- ☐ the specification of which is being executed on even date herewith and is about to be filed in the United States Patent Office (*use for 37 CFR §1.53(b) filings only*);
- ☐ is about to be filed in the United States Patent Office as a Provisional Application;
- ☒ the specification of which is United States Application No. **10/750,173**;
- ☐ the specification of which is a Patent Cooperation Treaty Application, International Application No. [], which designates the United States of America;
- ☐ which was patented under United States Patent No. [].

WHEREAS, **DePuy Spine, Inc.** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of Ohio**, and having a usual place of business at **325 Paramount Drive, Raynham, Massachusetts 02767** desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue on said invention; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the

execution of applications for patents in foreign countries, and the execution of any future applications including substitution, reissue, divisional or continuation applications, and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request each Patent Office and the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said invention to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature: _____

Edward B. Zalenski

State/Commonwealth

of Massachusetts

County of Bristol

Then personally appeared before me the above-named **Edward B. Zalenski** and acknowledged that he executed the foregoing instrument as his free act and deed this

36th day of January, 20 04.

(SEAL)

Patricia A. Hubler

Notary Public

Patricia A. Hubler

(print name)

My Commission expires 08/09/2007

Inventor's Signature: _____

Dale W. Frank

State/Commonwealth

of _____

County of _____

Then personally appeared before me the above-named **Dale W. Frank** and acknowledged that he executed the foregoing instrument as his free act and deed this _____ day of _____, 20____.

(SEAL)

Notary Public

(print name)

My Commission expires ____/____/____

Inventor's Signature: _____

Michael D. Sorrenti

Michael D. Sorrenti

State/Commonwealth

of Massachusetts

County of Bristol

Then personally appeared before me the above-named **Michael D. Sorrenti** and acknowledged that he executed the foregoing instrument as his free act and deed this 26th day of January, 2004.

(SEAL)

Patricia A. Hubler

Notary Public

Patricia A. Hubler
(print name)

My Commission expires 08 / 09 / 2007

Inventor's Signature: _____

A. Grinberg

Alexander Grinberg

State/Commonwealth

of Massachusetts

County of Bristol

Then personally appeared before me the above-named **Alexander Grinberg** and acknowledged that he executed the foregoing instrument as his free act and deed this

27 day of January, 2004.

(SEAL)

Patricia A. Hubler

Notary Public

Patricia A. Hubler

(print name)

My Commission expires 08 / 09 / 2007

JointASSIGNMENT

WHEREAS, we, **Edward B. Zalenski, Dale W. Frank, Michael D. Sorrenti and Alexander Grinberg**, have invented a certain improvement in **Insertor Instrument and Implant Clip** described in an application for Patent,

- ☐ the specification of which is being executed on even date herewith and is about to be filed in the United States Patent Office (*use for utility (37 CFR § 1.53(b)) and design filings only*);
- ☐ is about to be filed in the United States Patent Office as a Provisional Application;
- ☒ the specification of which is United States Application No. **10/750,173**, filed **Decmeber 31, 2003**;
- ☐ the specification of which is a Patent Cooperation Treaty Application, International Application No. ☐, which designates the United States of America;
- ☐ which was patented under United States Patent No. ☐.

WHEREAS, **DePuy Spine, Inc.** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of Ohio**, and having a usual place of business at **325 Paramount Drive, Raynham, Massachusetts 02767-0350** desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue on said invention; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts

which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of any future applications including substitution, reissue, divisional or continuation applications, and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request each Patent Office and the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said invention to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature: _____
Edward B. Zalenski

State/Commonwealth _____
of _____
County of _____

On this _____ day of _____, 20____, before me, the undersigned notary public, personally appeared **Edward B. Zalenski**,

☐ personally known to me, or
☐ proved to me through satisfactory evidence of identification, which was _____

to be the person whose name was signed on the foregoing instrument in my presence, and acknowledged that he/she signed the foregoing instrument as his/her free act and deed.

(SEAL) _____ Notary Public

(print name)
My Commission expires ____/____/____

Inventor's Signature: Dale W. Frank
Dale W. Frank

State/Commonwealth
of Connecticut
County of Fairfield

On this 12th day of May, 2004, before me, the undersigned
notary public, personally appeared **Dale W. Frank**,

☒ personally known to me, or

☐ proved to me through satisfactory evidence of identification, which was

to be the person whose name was signed on the foregoing instrument in my presence, and
acknowledged that he/she signed the foregoing instrument as his/her free act and deed.

(SEAL) Margaret Ficano Notary Public
Margaret Ficano (print name)
My Commission expires 7 / 31 / 05

Inventor's Signature: _____
Michael D. Sorrenti

State/Commonwealth
of _____
County of _____

On this _____ day of _____, 20____, before me, the undersigned
notary public, personally appeared **Michael D. Sorrenti**,

☐ personally known to me, or

☐ proved to me through satisfactory evidence of identification, which was

to be the person whose name was signed on the foregoing instrument in my presence, and
acknowledged that he/she signed the foregoing instrument as his/her free act and deed.

(SEAL) _____ Notary Public

(print name)
My Commission expires ____/____/____

Inventor's Signature: _____
Alexander Grinberg

State/Commonwealth

of _____

County of _____

On this _____ day of _____, 20____, before me, the undersigned notary public, personally appeared **Alexander Grinberg**,

☐ personally known to me, or

☐ proved to me through satisfactory evidence of identification, which was _____

to be the person whose name was signed on the foregoing instrument in my presence, and acknowledged that he/she signed the foregoing instrument as his/her free act and deed.

(SEAL)

Notary Public

(print name)

My Commission expires ____/____/____