

10-22-2004

To the Honorable Commissioner of Patents

102865537

1. Name of conveying party(ies):

**Roland Alois HOEGERLE, Martin MACHILL and
Rainer HAEUSLER**Additional name(s) of conveying party(ies) attached? Yes ☐ No ☒

3. Nature of conveyance:

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

Execution Date **09/14/04 (Hoegerle)**
09/03/04 (Machill)
09/10/04 (Haeusler)

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

Name: **AESCLAP AG & Co. KG**

Internal Address:

Street Address: **Am Aesculap-Platz**City: **78532 Tuttlingen** Country: **Germany**Additional name(s) & 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 date of the application is: _____

A. Patent Application No(s).

10/901,021

B. Patent No(s).

Additional numbers attached? ☐ Yes ☒ No

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

Name: **Barry R. Lipsitz**

Internal Address:

Street Address: **755 Main Street, Bldg. 8**City: **Monroe** State: **CT** ZIP: **06468**

6. Total number of applications and patents involved:

17. Total fee (37 CFR 3.41).....\$ **40.00**

- ☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number:

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 50-0625.

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.

Barry R. Lipsitz

Name of Person Signing

Signature

October 14, 2004

Date

Total number of pages including cover sheet, attachments and document:

3

10/19/2004 KBETEM1 00000013 10901021

03 FC:8021

40.00 DP

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, I/we the undersigned,

Roland Alois HOEGERLE, Martin MACHILL and Rainer HAEUSLER

who, has/have created a certain invention for which an application for United States Letters Patent has been:

[] executed concurrently herewith
[X] filed on July 27, 2004 and assigned application number 10/901,021 and
is entitled:

SURGICAL APPLIANCE

Do hereby sell, assign and transfer to: **AESCULAP AG & Co. KG**

referred to herein as "Assignee", whose address is: **Am Aesculap-Platz
78532 Tuttlingen
Germany**

its successors, assigns, and legal representatives, the full and exclusive right to said invention and said application and to any and all inventions described in said application for the United States and its territorial possessions, and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions; and in and to any and all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, and all other applications for Letters Patent relating thereto (including prior filed provisional applications) which have been or shall be filed in the United States and/or its territorial possessions, and all rights, together with all priority rights, under any of the international conventions, unions, agreements, acts, and treaties, including all future conventions, unions, agreements, acts, and treaties;

Agree that Assignee may apply for and receive in its own name Letters Patent for said invention and said inventions, hereinafter referred to as said invention, in the United States and its territorial possessions; and that, when requested to carry out in good faith the intent and purpose of this assignment at the expense of said Assignee, its successors, assigns and legal representatives, the undersigned will execute all continuations-in-part, continuations, divisions, substitutes, reissues, and extensions thereof, execute all rightful oaths, assignments, powers of attorney and other papers, testify in any legal or quasi legal proceedings; communicate to said Assignee, its successors, assigns, and legal representatives all facts known to the undersigned relating to said invention and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or legal representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said invention and for vesting title to said invention and all applications for patents on said invention in said Assignee, its successors, assigns and legal representatives; and

Application No.: 10/901,021
Title of Invention: SURGICAL APPLIANCE

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

IN TESTIMONY WHEREOF, I/we have hereunto set my/our signature(s) on the date(s) indicated below.

Yvonne Rütz
(Witness) Signature

Yvonne Rütz
Name of Witness Printed

Yvonne Rütz
(Witness) Signature

Yvonne Rütz
Name of Witness Printed

Yvonne Rütz
(Witness) Signature

Yvonne Rütz
Name of Witness Printed

Roland Alois Hoegerle (L.S.)
Roland Alois HOEGERLE

2004-09-14
Date

Martin Machill (L.S.)
Martin MACHILL

2004-09-03
Date

Rainer Haeusler (L.S.)
Rainer HAEUSLER

04-09-10
Date