

## PATENT ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
Synthes (USA)	01/17/2006
RECEIVING PARTY DATA	
Name:	HFSC Company
Street Address:	1302 Wrights Lane East
City:	West Chester
State/Country:	PENNSYLVANIA
Postal Code:	19380
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	11056010
CORRESPONDENCE DATA	
Fax Number:	(212)755-7306
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	(212) 326-3738
Email:	samiller@jonesday.com
Correspondent Name:	Brian M. Rothery
Address Line 1:	222 East 41st Street
Address Line 4:	New York, NEW YORK 10017-6702
ATTORNEY DOCKET NUMBER:	8932-1065-999
NAME OF SUBMITTER:	Brian M. Rothery
Total Attachments: 6 source=DOC011#page1.tif source=DOC011#page2.tif source=DOC011#page3.tif source=DOC011#page4.tif source=DOC011#page5.tif	

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PATENT  
REEL: 017032 FRAME: 0024



## ASSIGNMENT

WHEREAS, **Synthes (USA)**, ASSIGNOR, a Partnership organized under the laws of the Commonwealth of Pennsylvania and having a place of business at 1302 Wrights Lane East, West Chester, PA 19380, has all right, title and interest in United States Continuation Patent Application Ser. No. 11/056,010, which was filed with the United States Patent and Trademark Office on February 11, 2005, entitled CONTROLLED ARTIFICIAL INTERVERTEBRAL DISC IMPLANT and all inventions described, disclosed or claimed therein (hereinafter "the Invention");

AND WHEREAS, **Synthes GmbH**, ASSIGNEE, having a place of business at 3 Eimastrasse 3, 4436 Oberdorf, Switzerland, is desirous of obtaining the entire right, title and interest to and under the Invention, including the right to bring an action and recover damages for past infringements, if any, in all geographic locations except the United States and its possessions and territories, Canada and its possessions and territories, the Bahamas, and Bermuda (hereinafter "the Excluded Geographic Locations");

AND WHEREAS, **HFSC**, ASSIGNEE, a Partnership organized under the laws of the Commonwealth of Pennsylvania and having a place of business at 1302 Wrights Lane East, West Chester, PA 19380, is desirous of obtaining the entire right, title and interest to the Invention, including the right to bring an action and recover damages for past infringement, if any, in the Excluded Geographic Locations;

AND WHEREAS, ASSIGNOR, is desirous of assigning its entire right, title and interest to the Invention to the ASSIGNEES, including the right to bring an action and recover damages for past infringement, if any;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the said ASSIGNOR, has sold, assigned, transferred and set over, and does hereby sell, assign, transfer and set over, unto the said ASSIGNEES, their successors, legal representatives and assigns, all ASSIGNOR'S rights, title and interest in the Invention including the right to bring an action and recover damages for past infringement, if any; and all rights, title and interest in any corresponding patent applications and all divisions, renewals and continuations thereof, and all Patents which may be granted thereon and all reissues and extensions thereof; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said Invention in any country, and all extensions, renewals and reissues thereof;

NOW, THEREFORE, **Synthes GmbH** shall obtain all said rights, title and interest in the Invention in all geographic regions except the Excluded Geographic Locations; and **HFSC** shall obtain all said rights, title, and interest in the Invention in the Excluded Geographic Locations;



**ASSIGNEE:****Synthes GmbH**

Robert M. Rauker

Authorized to sign on behalf of Synthes GmbH

Signature: \_\_\_\_\_

Robert M Rauker

Position/Title: \_\_\_\_\_

Chief Patent Counsel

Address: \_\_\_\_\_

1302 Wrights Lane EastWest Chester, Pennsylvania 19380

Date: \_\_\_\_\_

January 17, 2006

~~Commonwealth~~  
 State of Pennsylvania )  
 ) SS.:  
 County of Chester )

On January 17, 2006, before me, Joanna Franklin Range, Notary Public, personally appeared Robert M. Rauker, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Joanna Franklin Range**ASSIGNEE:****HFSC****COMMONWEALTH OF PENNSYLVANIA**

Notarial Seal  
 Joanna Franklin Range, Notary Public  
 West Goshen Twp., Chester County  
 My Commission Expires Aug. 18, 2008

Member, Pennsylvania Association of Notaries

Robert M. Rauker

Authorized to sign on behalf of HFSC

Signature: \_\_\_\_\_

Robert M Rauker

Position/Title: \_\_\_\_\_

Chief Patent Counsel

Address: \_\_\_\_\_

1302 Wrights Lane EastWest Chester, Pennsylvania 19380

Date: \_\_\_\_\_

January 17, 2006

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WITNESS my hand and official seal

Joanna Franklin Range**COMMONWEALTH OF PENNSYLVANIA**

Notarial Seal  
 Joanna Franklin Range, Notary Public  
 West Goshen Twp., Chester County  
 My Commission Expires Aug. 18, 2008

Member, Pennsylvania Association of Notaries

## ASSIGNMENT

WHEREAS, WE, David GERBER, citizen of Switzerland, residing at 321 Carlisle Court, Exton, PA 19341, USA; Justin K. COPPES, citizen of USA, residing at 305 Galway Drive, West Chester, PA 19380, USA; Christopher ANGELUCCI, citizen of USA, residing at 809 Summit Avenue, Schwenksville, PA, 19473, USA; David C. PAUL, citizen of India, residing at 405 Greene Lane, Phoenixville, PA 19460, USA; Pascal STIHL, citizen of Switzerland, residing at 1221 Morstein Road, West Chester, PA 19380, USA; and Michael L. Boyer II, citizen of USA, residing at 1708 E. Lancaster Avenue, Paoli, PA 19301, USA; ASSIGNORS, are the inventors of the invention CONTROLLED ARTIFICIAL INTERVERTEBRAL DISC IMPLANT for which we have executed an application for a Patent of the United States

- ☒ which is executed concurrently herewith,
- ☒ which is identified by Pennie & Edmonds LLP docket no. 8932-667

AND WHEREAS, SYNTHES U.S.A., ASSIGNEE a general partnership existing under the laws of the Commonwealth of Pennsylvania and having a place of business at 1690 Russell Road, Paoli, PA 19301, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, 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, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

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 or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree 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 HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

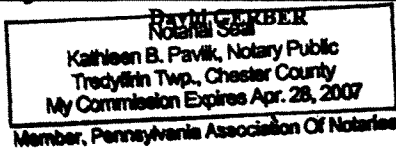
IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

NY2 - 1218189.1

A00005964.A

Date 08/14/03, 2003 D. Gerber L.S.

State of Penna. )  
County of Chester ) SS.:



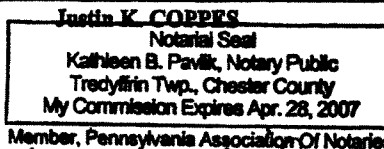
On 8/14/03, 2003, before me, Kathleen B. Pavlik, Notary Public, personally appeared David Gerber, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Kathleen B. Pavlik

Date 8/14/03, 2003 Justin K. Coppes L.S.

State of Penna. )  
County of Chester ) SS.:



On 8/14/03, 2003, before me, Kathleen B. Pavlik, Notary Public, personally appeared Justin K. Coppes, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Kathleen B. Pavlik

Date \_\_\_\_\_, 2003 \_\_\_\_\_ L.S.

Christopher ANGELUCCI

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) SS.:

On \_\_\_\_\_, 2003, before me, \_\_\_\_\_, Notary Public, personally appeared Christopher ANGELUCCI, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

NY2 - 1218189.1

A00005964.A

Date \_\_\_\_\_, 2003 \_\_\_\_\_ L.S.

David PAUL

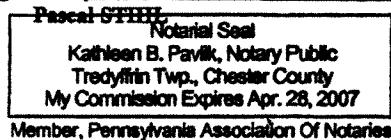
State of \_\_\_\_\_ )  
 ) SS.:  
County of \_\_\_\_\_ )

On \_\_\_\_\_, 2003, before me, \_\_\_\_\_, Notary Public,  
personally appeared David PAUL, personally known to me on the basis of satisfactory evidence to be the person(s) whose  
name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which  
the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Date 8/14, 2003 Pascal Stihl L.S.

State of Penn. )  
 ) SS.:  
County of Chester )



On 8/14/03, 2003, before me, Kathleen B. Pavlik, Notary Public,  
personally appeared Pascal STIHL, personally known to me on the basis of satisfactory evidence to be the person(s)  
whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon  
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Date \_\_\_\_\_, 2003 \_\_\_\_\_ L.S.  
Michael L. BOYER II

State of \_\_\_\_\_ )  
 ) SS.:  
County of \_\_\_\_\_ )

On \_\_\_\_\_, 2003, before me, \_\_\_\_\_, Notary Public,  
personally appeared Michael L. BOYER II, personally known to me on the basis of satisfactory evidence to be the  
person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon  
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

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