

09-27-2007



EET

103448663

To the Director of the U.S. Patent and Trademark Office and documents or the new address(es) below.

9.26.07

1. Name of conveying party(ies)

Robert German

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

2. Name and address of receiving party(ies)

Name: Hayes Medical, Inc.

Internal Address: _____

Street Address: 1115 Windfield Way, Suite 100

City: Eldorado Hills

State: CA

Country: _____ Zip: 95762

Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance/Execution Date(s):

Execution Date(s) 09/12/2007

- Assignment Merger
- Security Agreement Change of Name
- Joint Research Agreement
- Government Interest Assignment
- Executive Order 9424, Confirmatory License
- Other _____

4. Application or patent number(s):

This document is being filed together with a new application.

A. Patent Application No.(s)

10/435,000

B. Patent No.(s)

Additional numbers attached? Yes No

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

Name: Mark J. Pandiscio

Internal Address: Pandiscio & Pandiscio, P.C.

Street Address: 470 Totten Pond Road

City: Waltham

State: MA Zip: 02451

Phone Number: 781-290-0060

Fax Number: 781-290-4840

Email Address: _____

6. Total number of applications and patents involved: _____

7. Total fee (37 CFR 1.21(h) & 3.41) \$40.00

- Authorized to be charged by credit card
- Authorized to be charged to deposit account (any deficiencies)
- Enclosed
- None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 16-0221

Authorized User Name _____

9. Signature:

Margaret M. Slezak
Signature

09/24/2007

Date

Margaret M. Slezak
Name of Person Signing

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

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

SEP 26 AM 10:07
FINANCE SECTION
09/27/2007 10:43:00
01 FC:1025

ASSIGNMENT

We, Michael A. Serra of 2386 Knollwood Drive, Cameron Park, CA 95682, Shaun B. Hanson of 137 East Phoenix Drive, Phoenixville, PA 19460, Alfred S. Despres, III of 4607 Hillwood Drive, Shingle Springs, CA 95682 and Robert German of 1151 Olive Drive, Davis, CA 95616 having invented improvements in SYSTEM FOR ESTABLISHING THE ORIENTATION OF A MODULAR IMPLANT and having executed an application for United States patent describing the same and based thereon (and we hereby authorize our attorney(s), authorized to prosecute said application, to here insert the filing date and serial number of said application, when known, Serial No. 10/435,000, filed 05/09/2003), for good and valuable consideration, receipt of which is hereby acknowledged from Hayes Medical, Inc., a California corporation having a place of business at 1115 Windfield Way, Suite 100, Eldorado Hills, CA 95762, hereinafter called the Assignee (which term shall include its successors and assigns), do hereby sell, assign and transfer unto the Assignee our entire right, title, and interest, in and throughout the United States of America (including its territories and dependencies) and all countries foreign thereto, in and to and under said application (which term shall include hereinafter where the context so admits all divisional, continuing, reissue and other patent applications based thereon) and the inventions (which term shall include each and every such invention, or any part thereof) therein described, and any and all patents and like rights of exclusion (including extensions thereof) of any country which may be granted on or for said inventions or on said application.

And for the same consideration we do also hereby sell, assign and transfer unto the Assignee all our rights under the International Convention for the Protection of Industrial Property and all other treaties of like purpose in respect of said inventions and said application and we do hereby authorize the Assignee to apply in our names or its own name for patents and like rights of exclusion on or for said inventions in all countries, claiming (if the Assignee so desires) the priority of the filing date of said application under the provisions of said Convention or any such other treaty;

And for the same consideration we do hereby jointly and severally agree for ourselves and for our respective heirs, executors and administrators, promptly upon request of the Assignee, to execute and deliver without further compensation

*Pandiscio & Pandiscio, P.C.
470 Totten Pond Road
Waltham, MA 02451
Tel. (781) 290 0060*

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any power of attorney, assignment, original, divisional, continuing, reissue or other application or applications for patent or patents or like rights of exclusion of any country, or other lawful documents and any further assurances that may be deemed necessary or desirable by the Assignee fully to secure to it said right, title, and interest as aforesaid in and to said inventions, application, and said several patents and like rights of exclusion, or any of them, all, however, at the expense of the Assignee;

And we do hereby authorize and request the Commissioner of Patents of the United States of America and the corresponding Officer of each country foreign thereto to issue to the Assignee any and all patents and like rights of exclusion which may be granted in any country upon said application or on or for said inventions;

And we do hereby jointly and severally covenant for ourselves and for our respective legal representatives and agree with the Assignee that we have granted no right or license to make, use or sell said inventions to anyone except the Assignee, that prior to the execution of this deed our right, title and interest in and to said inventions has not been otherwise encumbered by us, and that we have not executed and will not execute any instrument in conflict herewith.

IN WITNESS WHEREOF, we hereunto set our hands and seals on the day and year hereinafter noted.

Michael A. Serra

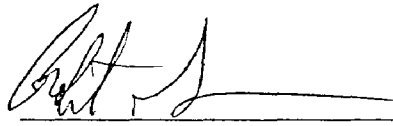
Shaun B. Hanson

Alfred S. Despres, III

*Pandiscio & Pandiscio, P.C.
470 Totten Pond Road
Waltham, MA 02451
Tel. (781) 290 0060*

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**PATENT
REEL: 019891 FRAME: 0430**



Robert German

State of _____)
County of _____) ss.

Before me this _____ day of _____, 2007,
personally appeared Michael A. Serra, who is to me personally
known, and acknowledged the foregoing instrument to be his/her
free act and deed.

SEAL

NOTARY PUBLIC

My commission expires: _____

State of _____)
County of _____) ss.

Before me this _____ day of _____, 2007,
personally appeared Shaun B. Hanson, who is to me personally
known, and acknowledged the foregoing instrument to be his/her
free act and deed.

SEAL

NOTARY PUBLIC

My commission expires: _____

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State of _____)
County of _____) ss.

Before me this _____ day of _____, 2007,
personally appeared Alfred S. Despres, III, who is to me
personally known, and acknowledged the foregoing instrument to
be his/her free act and deed.

SEAL

NOTARY PUBLIC

My commission expires: _____

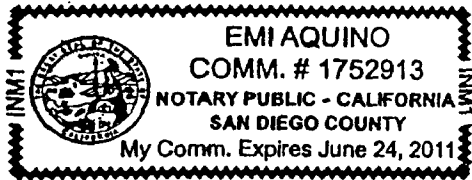
State of CALIFORNIA)
County of SAN DIEGO) ss.

Before me this 12 day of SEPTEMBER, 2007,
personally appeared Robert German, who is to me personally
known, and acknowledged the foregoing instrument to be his/her
free act and deed.

SEAL

NOTARY PUBLIC

My commission expires: JUNE 24, 2011



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