

03-27-2009

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

MAR 25 2009



103554182

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

1. Name of conveying party(ies):

Stephan LINDNER

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

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

Execution Date(s):

February 20, 2009

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

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

Name: Aesculap AG

Internal Address:

Street Address: Am Aesculap-Platz

City: Tuttlingen

State:

Country: Germany

Zip: 78532

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

4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No(s)

12/321,762

B. Patent No(s):

Additional numbers attached: ☐ Yes ☒ No

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

Name: Douglas M. McAllister

Internal Address: Lipsitz & McAllister, LLC

Street Address: 755 Main Street, Bldg. No. 8

City: Monroe

State: Connecticut Zip: 06468

Phone Number: (203) 459-0200

Fax Number: (203) 459-0201

Email Address: info@patlawfirm.com

6. Total number of applications and patents involved:

1

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

- ☐ Authorized to be charged to deposit account  
☒ Enclosed  
☐ None required (government interest not affecting title)

8. Payment Information

Deposit Account Number: 50-0625

Authorized User Name: Douglas M. McAllister

- ☒ 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.

9. Signature:

Name of Person Signing: Douglas M. McAllister

March 23, 2009

Date

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

3

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, VA 22313-1450

03/25/2009 CNGUYEN2 00000024 12321762

01 FC:0021

40.00 0P

PATENT  
REEL: 022459 FRAME: 0354

***ASSIGNMENT***

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

**Stephan LINDNER**

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

[    ] executed concurrently herewith  
[ X ] filed on **January 22, 2009** and assigned application number **12/321,762**

and is entitled **VERTEBRAL BODY REPLACEMENT IMPLANT AND INSTRUMENT  
FOR HANDLING THE VERTEBRAL BODY REPLACEMENT IMPLANT**

Do hereby sell, assign and transfer to:                    **Aesculap AG**

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

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 the full right to convey the same as herein expressed is possessed by the undersigned.

The undersigned hereby grant(s) the law firm of Lipsitz & McAllister, LLC the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office for recordation of this document.

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



Witness - Signature



Name of Witness Printed



(L.S.)

Stephan LINDNER

Date: 2003-02-20

Attorney Docket No.: HOEG-1204

PATENT

RECORDED: 03/25/2009

REEL: 022459 FRAME: 0356