

# PATENT ASSIGNMENT

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<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT
<b>CONVEYING PARTY DATA</b>	
<b>Name</b>	<b>Execution Date</b>
Rainer Birkenbach	09/09/2009
Stefan Vilsmeier	09/09/2009
<b>RECEIVING PARTY DATA</b>	
<b>Name:</b>	BrainLAB AG
<b>Street Address:</b>	Kapellenstrasse 12
<b>Internal Address:</b>	85622
<b>City:</b>	Feldkirchen
<b>State/Country:</b>	GERMANY
<b>PROPERTY NUMBERS Total: 1</b>	
<b>Property Type</b>	<b>Number</b>
<b>Application Number:</b>	12562163
<b>CORRESPONDENCE DATA</b>	
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<b>ATTORNEY DOCKET NUMBER:</b>	SCHWP0387USA
<b>NAME OF SUBMITTER:</b>	Kenneth W. Fafrak
<b>Total Attachments: 2</b> source=P0387USA-ASSNexec#page1.tif source=P0387USA-ASSNexec#page2.tif	

OP \$40.00 12562163

**500967139**

**PATENT**  
**REEL: 023256 FRAME: 0893**

**ASSIGNMENT****WHEREAS:**NAME(S) AND  
ADDRESS(ES) OF  
INVENTOR(S)

Rainer Birkenbach  
Buergermeister-Eisenreich-Str. 5  
85435 Erding  
GERMANY

Stefan Vilsmeier  
Kaulbachstraße 70  
80539 München  
GERMANY

(hereinafter referred to as ASSIGNOR), have invented a certain invention entitled:

TITLE OF  
INVENTION

**SURGICAL INSTRUMENT, IN PARTICULAR POINTER INSTRUMENT, COMPRISING TIP SENSOR**  
for which application for Letters Patent of the United States has been:  
[authorization is hereby given for any attorney of record in the subject patent application to insert below the application number and filing date information for this application when that information becomes available]

PARTICULARS OF  
APPLICATION

[X] executed concurrently herewith,  
[X] filed under U.S. Application No. 12/562,163 on 09-18-09, or  
[] filed under Express Mail Label No. \_\_\_\_\_ on \_\_\_\_\_.

**WHEREAS:**NAME, STATE OF  
INCORPORATION  
AND ADDRESS OF  
ASSIGNEE

BrainLAB AG  
Kapellenstraße 12  
85622 Feldkirchen  
GERMANY

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention (including all inventions should said application be deemed to include multiple inventions).

**NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:** Be it known that for One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE, its successors and assigns, the entire right, title and interest in and to said invention, and in and to said application; and in and to any applications filed in any foreign country based thereon, including the right to file said foreign applications and to claim priority under the provisions of any international convention; and also the entire right, title and interest in and to any and all patents, or reissues or extensions thereof, to be obtained in this or any foreign country upon said application or applications and any divisional, continuation or substitute applications which may be filed upon said invention in this or any foreign country; and ASSIGNOR hereby authorizes and requests the issuing authority to issue any and all patents on said application or applications to ASSIGNEE.

ASSIGNOR hereby covenants that ASSIGNOR has the full power to make this assignment and that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

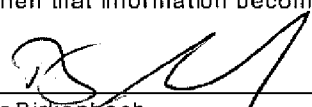
ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent as may be known and accessible to ASSIGNOR and that ASSIGNOR will testify as to the same in any legal proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain and enforce patent protection for said invention in all countries.

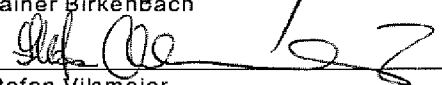
I authorize the patent attorney of record and/or having power of attorney in the U.S. patent application identified above to insert the serial number and filing date information for the patent application in the appropriate spaces in this assignment document when that information becomes available.

FULL NAME(S) OF  
INVENTOR(S)

Date 09. SEP. 2009

Date 09. Sept. 2009

  
Rainer Birkenbach

  
Stefan Vilsmeyer