

# PATENT ASSIGNMENT

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT
<b>CONVEYING PARTY DATA</b>	
<b>Name</b>	<b>Execution Date</b>
Synthes GmbH	04/15/2009
<b>RECEIVING PARTY DATA</b>	
<b>Name:</b>	Synthes USA, LLC
<b>Street Address:</b>	1302 Wrights Lane East
<b>City:</b>	West Chester
<b>State/Country:</b>	PENNSYLVANIA
<b>Postal Code:</b>	19380
<b>PROPERTY NUMBERS Total: 1</b>	
<b>Property Type</b>	<b>Number</b>
Application Number:	12438088
<b>CORRESPONDENCE DATA</b>	
<b>Fax Number:</b>	(215)568-3439
<b>Phone:</b>	215-568-3100
<b>Email:</b>	assignments@woodcock.com
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>	
<b>Correspondent Name:</b>	Woodcock Washburn LLP
<b>Address Line 1:</b>	2929 Arch Street
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<b>Address Line 4:</b>	Philadelphia, PENNSYLVANIA 19104-2891
<b>ATTORNEY DOCKET NUMBER:</b>	SYNT-4363
<b>NAME OF SUBMITTER:</b>	Ann Trevisani
<b>Total Attachments: 2</b> source=00389-09PUS1 Assignment_Synthes GmbH to Synthes USA#page1.tif source=00389-09PUS1 Assignment_Synthes GmbH to Synthes USA#page2.tif	

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**PATENT**  
**REEL: 027170 FRAME: 0014**

## ASSIGNMENT

WHEREAS, **Synthes GmbH**, ASSIGNOR, a Swiss Company, organized under the laws of Switzerland and having a place of business at Eimattstrasse 3, Oberdorf, Switzerland CH-4436, has all right, title and interest in the invention disclosed, described and/or claimed in United States Patent Application No. 12/438,088, which was filed with the United States Patent and Trademark Office on February 19, 2009, entitled TOTAL DISC REPLACEMENT DEVICE, and all inventions described, disclosed or claimed therein (hereinafter "the Invention"), which is identified by Stroock & Stroock & Lavan LLP Attorney Docket No. 001227/1631, and which claims priority to International Application No. PCT/CH2006/000454, filed on August 22, 2006.

AND WHEREAS, **Synthes USA, LLC**, ASSIGNEE, a Delaware Limited Liability Company organized under the laws of the State of Delaware and having a place of business at 1302 Wrights Lane East, West Chester, PA 19380, is desirous of obtaining any and all right, title and interest to the Invention in the United States and its possessions and territories, Canada and its possessions and territories, the Bahamas, and Bermuda (hereinafter "the Territory"), including the right to bring an action and recover damages for past infringements, if any.

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

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency 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 ASSIGNEE, its successors, legal representatives and assigns, all ASSIGNOR'S rights, title and interest in the Invention in the Territory including the right to bring an action and recover damages for past infringement, if any; and all rights, title and interest in any corresponding United States patent applications and all divisions, renewals and continuations thereof; and all Patents in the Territory 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 the Territory, and all extensions, renewals and reissues thereof.

AND ASSIGNOR HEREBY authorizes and requests said ASSIGNEE, its successors, legal representatives, or assigns to insert hereinafter when known the application number and filing date of any international, regional, or national application already filed or filed hereafter for the Invention.

Country: \_\_\_\_\_ Application No. \_\_\_\_\_ Filing Date \_\_\_\_\_

AND ASSIGNOR HEREBY covenants and agrees that it has not executed, and will not execute, any agreement in conflict herewith.

AND ASSIGNOR HEREBY further covenants and agrees that it will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to it respecting said Invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue 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 the Territory.

AND ASSIGNOR HEREBY further covenants and agrees that it has read this Assignment, knows and understands its contents, and comprehends and agrees to all of its terms, conditions and meanings and their significance.

IN TESTIMONY WHEREOF, the person executing this Assignment in a representative capacity on behalf of the ASSIGNOR warrants that he is fully authorized and empowered to do so and sets his hand and seal the day and year set with his signature.

**ASSIGNOR: Synthes GmbH**

Dennis J. Butler Authorized to sign on behalf of Synthes GmbH

Signature:

Position/Title:

Patent Counsel

Address:

Eimattstrasse 3  
CH-4436 Oberdorf  
Switzerland

Date:

April 15, 2009

Commonwealth of Pennsylvania )  
 ) SS:  
County of Chester )

On April 15, 2009, before me, Carrie A. McPherson, Notary Public, personally appeared Dennis J. Butler, 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

Carrie A. McPherson

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Carrie A. McPherson, Notary Public  
West Chester Boro, Chester County  
My Commission Expires Jan. 27, 2010  
Member, Pennsylvania Association of Notaries

**ASSIGNEE: Synthes USA, LLC**

Dennis J. Butler Authorized to sign on behalf of Synthes USA, LLC

Signature:

Position/Title:

Patent Counsel

Address:

1302 Wrights Lane East  
West Chester, Pennsylvania 19380

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