

REI

12-09-1998



SHEET

U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office

Tab settings

100918068

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

AESCULAP AG

MKD 12-4-98

- Individual(s), Association, General Partnership, Limited Partnership, Corporation-State, Other Joint Stock Company/Capital Company

2. Name and address of receiving party(ies)

Name: AESCULAP AG & CO. KG

Internal Address:

Street Address: Am Aesculap-Platz

78532 Tuttlingen, Germany

City: State: ZIP:

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State, Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

(Designations must be a separate document from assignment)

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

3. Nature of conveyance:

- Assignment, Security Agreement, Other, Merger, Change of Name

Execution Date: March 17, 1997

4. Application number(s) or patent number(s):

A. Trademark Application No.(s)

75/255,000

B. Trademark Registration No.(s)

Additional numbers attached? Yes No

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

Name: Barry R. Lipsitz

Internal Address:

12/09/1998 JSHADAZZ 00000054 75255000

01 FC:481 40.00 OP

Street Address: 755 Main Street

City: Monroe State: CT ZIP: 06468

6. Total number of applications and registrations involved:

1

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

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

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.

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Barry R. Lipsitz

Name of Person Signing

[Signature]

Signature

Dec. 1, 1998

Date

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

7

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments

Washington, D.C. 20231

TRADEMARK

REEL: 1824 FRAME: 0091

Notarial Deed

To whom it may concern:

Modifying Conversion of AESCULAP AKTIENGESELLSCHAFT to AESCULAP AG & CO. KG

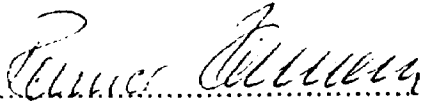
This change of name did not effect the legal entity according to German law. The company name of AESCULAP AKTIENGESELLSCHAFT was changed to AESCULAP AG & CO. KG on 17 March 1997 according to Article 226 ff. of the German Code on Company Conversions. The company was hereby converted from a capital company to a limited partnership. No asset transfer has taken place, because this modifying conversion leaves the legal entity unchanged according to German law. Only the name of the company was changed.

The company remains the owner of all assets, including trademarks.

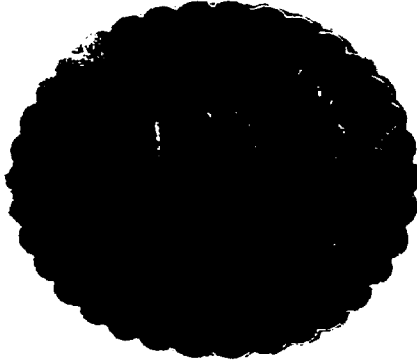
I have inspected the company's register and certify that modifying conversion has been entered into this register on March 17th, 1997.

Tuttlingen, July 29th, 1998

Signature of Notary Public



Notar Rainer Kamenz

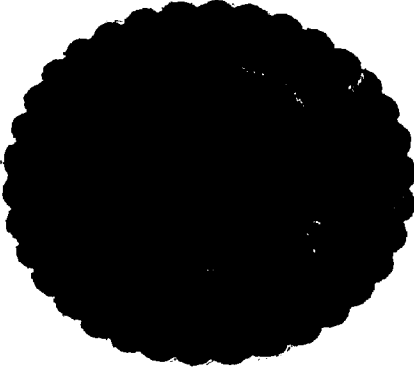


RE/DA-ara 98-07-28
792 - DEEDPERU

TRADEMARK
REEL: 1824 FRAME: 0092

Umstehende Kopie stimmt mit der mir vorgelegten
Urschrift überein und wird beglaubigt.
Tuttlingen, den 29. Juli 1998
Notariat II
Notar:


(Kamenz)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION FOR FEDERAL TRADEMARK REGISTRATION

Mark: CranioFix (Stylized)

Class: International 10

TO THE ASSISTANT COMMISSIONER FOR TRADEMARKS

AESCULAP AG
a German corporation

Am Aesculap-Platz
D-78532 Tuttlingen
Federal Republic of Germany

The above-identified Applicant requests registration of the above-identified trademark shown in the accompanying drawing in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. §1051 et. seq., as amended) for the following goods:

Body implants made of reabsorbable material, in particular, fixing elements for skull bones; surgical instruments and appliances, in particular, for securing skull bones; body implants, in particular, fixing elements for securing skull bones, in International Class 10.

The mark is the subject of German trademark application no. 396 39 361.6 filed by Applicant on September 10, 1996. Applicant hereby bases its U.S. application on said foreign German application pursuant to Section 44(d) of the Trademark Act (15 U.S.C. §1126(d), as amended). Applicant has a bona fide intention

to use the mark in commerce on or in connection with the above-identified goods.

Applicant also bases its U.S. application on German trademark registration no. 396 39 361 registered by Applicant in Germany on October 29, 1996, pursuant to Section 44(e) of the Trademark Act (15 U.S.C. §1126(e), as amended). Applicant has a bona fide intention to use the mark in commerce on or in connection with the above-identified goods.

As an additional basis for filing, Applicant has a bona fide intention to use the mark in commerce on or in connection with the above-identified goods (15 U.S.C. 1051(b), as amended).

The trademark will be applied directly to the goods and/or to labels or packages for the goods.

POWER OF ATTORNEY

Applicant hereby appoints Barry R. Lipsitz, Reg. No. 28,637, a member of the Bar of the State of Connecticut, and Ralph F. Hoppin, Registration No. 38,494, a member of the Bars of the States of Connecticut and New York, both of the Law Office of Barry R. Lipsitz, whose post office address is 755 Main Street, Monroe,

Connecticut 06468, and whose telephone number is (203) 459-0200, to prosecute the application to register, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the Certificate of Registration. Barry R. Lipsitz is also designated as Applicant's domestic representative upon whom notices or process in proceedings affecting the mark may be served.

DECLARATION

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or

