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Expires 06/30/99  
OMB 0651-0027

12-12-2000

U.S. Department of Commerce  
Patent and Trademark Office  
TRADEMARK



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MRO  
10-30-00

### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

#### Submission Type

- New
- Resubmission (Non-Recordation)  
Document ID #
- Correction of PTO Error  
Reel #  Frame #
- Corrective Document  
Reel #  Frame #

#### Conveyance Type

- Assignment  License
- Security Agreement  Nunc Pro Tunc Assignment
- Merger  
Effective Date  
Month Day Year
- Change of Name
- Other

#### Conveying Party

Mark if additional names of conveying parties attached  
Execution Date  
Month Day Year

Name

Formerly

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other

Citizenship/State of Incorporation/Organization

#### Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKATA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)     
City State/Country Zip Code

- Individual  General Partnership  Limited Partnership  If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)
- Corporation  Association
- Other

Citizenship/State of Incorporation/Organization

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK  
REEL: 002192 FRAME: 0364

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages** Enter the total number of pages of the attached conveyance document including any attachments.

#

**Trademark Application Number(s) or Registration Number(s)**

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

**Number of Properties** Enter the total number of properties involved.

#

**Fee Amount** Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment: Enclosed  Deposit Account

Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: #

Authorization to charge additional fees: Yes  No

**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. Charges to deposit account are authorized, as indicated herein.

ANNA KWAN

*Anna Kwan*

10/27/00

Name of Person Signing

Signature

Date Signed

## TRADEMARK ASSIGNMENT

This Trademark Assignment is effective as of the 7<sup>th</sup> day of July, 2000, by and between DePuy Orthopaedic Technology, Inc., a Delaware corporation, having its principal place of business located at 700 Orthopaedic Drive, Warsaw, IN 46581 (hereinafter referred to as "Assignor") and dj Orthopedics, LLC, a Delaware corporation, having its principal place of business located at 2985 Scott Street, Vista, CA 92083 (hereinafter referred to as "Assignee").

WHEREAS, pursuant to the Asset Purchase Agreement dated July 7, 2000 among Assignor, DonJoy, L.L.C. (Assignee's parent), and Assignee, Assignor transferred certain of its assets, including the Trademark (as defined below), to Assignee;

WHEREAS, Assignor and Assignee desire that Assignee acquire the entire right, title and interest in and to the Trademark (as defined below), including the right to bring actions for infringement of the Trademark occurring prior to the date of this Assignment;

WHEREAS, Assignor has adopted, used, is using, and was, to the best of its knowledge and belief, as of July 7, 2000, the owner of the trademark registration listed in Schedule A, attached hereto and incorporated herein by this reference, and all other rights appurtenant thereto, including, but not limited to, all common law rights, trade name rights, causes of action, and the right to recover for past infringement (hereinafter collectively referred to as "Trademark");

WHEREAS, Assignor has acquired goodwill associated with and symbolized by said Trademark and has not abandoned the same;

WHEREAS, Assignee is desirous of acquiring all rights, title, and interest in and to the Trademark; and

WHEREAS, Assignor is willing to assign to Assignee all rights, title, and interest as Assignor may possess in and to the Trademark.

NOW THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Assignor hereby represents and warrants that, as of July 7, 2000, it was the sole and exclusive owner of the entire right, title, and interest in, to and under the Trademark.
2. Assignor hereby sells, assigns, and transfers to Assignee, its successors and assigns, Assignor's entire right, title and interest in, to and under the Trademark, including the right to bring actions for infringement of the Trademark occurring prior to the date of this Agreement, together with Assignor's business and the goodwill of Assignor's business connected with and symbolized by the Trademark.





**SCHEDULE A**

<u>Mark</u>	<u>Registration No.</u>	<u>Registration Date</u>	<u>Record Owner</u>
UNITRAC	1,854,562	September 20, 1994	Orthopedic Technology, Inc. (now known as DePuy Orthopaedic Technology, Inc.)

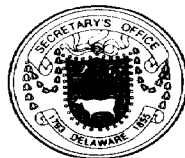
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State of Delaware  
*Office of the Secretary of State*

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PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "ORTHOPEdic TECHNOLOGY, INC.", CHANGING ITS NAME FROM "ORTHOPEdic TECHNOLOGY, INC." TO "DEPUY ORTHOPAEDIC TECHNOLOGY, INC.", FILED IN THIS OFFICE ON THE THIRD DAY OF SEPTEMBER, A.D. 1996, AT 10 O'CLOCK A.M.



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A handwritten signature in cursive script, reading "Edward J. Freel".

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Edward J. Freel, Secretary of State

AUTHENTICATION: 0576070

DATE: 07-24-00

TRADEMARK  
REEL: 002192 FRAME: 0370

**CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION  
OF  
ORTHOPEDIC TECHNOLOGY, INC.**

Orthopedic Technology, Inc., a Delaware corporation (the "Corporation"), DOES  
HEREBY CERTIFY:

FIRST: That all the Directors of the Corporation, by written consent filed with the minutes of the Board, adopted a resolution proposing and declaring advisable the following amendment to the Certificate of Incorporation of the Corporation:

RESOLVED, that Article FIRST of the Certificate of Incorporation of the Corporation be amended to read in its entirety:

"The name of the corporation is DePuy Orthopaedic Technology, Inc."

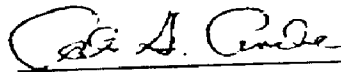
SECOND: That in lieu of a meeting and vote of stockholders, the sole stockholder has given its unanimous written consent in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware.

THIRD: That the aforesaid amendment was duly adopted in accordance with the applicable provisions of Section 242 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, Orthopedic Technology, Inc. has caused this certificate to be signed this fifteenth day of August, 1996.

**ORTHOPEDIC TECHNOLOGY, INC.**

By:



Calvin G. Andre

President and Chief Executive Officer