

12-16-2002

Attorney Docket No. 10746.02583US

Form PTO-1594
(Rev. 6-93)
OMB No. 0651-0011 (exp. 4/94)



U.S DEPARTMENT OF COMMERCE
Patent and Trademark Office

102312317

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

1. Name of conveying party(ies):
ESPE Dental AG *12-10-02*
 Individuals(s) Association
 General Partnership Limited Partnership
 Corporate (German corporation)
 Other
Additional name(s) of conveying party(ies) attached?
 Yes No

2. Name and address of receiving party(ies)
Name: 3M ESPE AG
Street Address: ESPE Platz
82229 Seefeld
Germany
 Individuals(s)
 Association
 General Partnership
 Limited Partnership
 Corporate (German corporation)
 Other
If assignee is not domiciled in the United States,
a domestic representative designated is attached:
 Yes No
Additional name(s) & address(es) attached?
 Yes No



3. Nature of Conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other:
Execution Date: March 12, 2001

4. Application number(s) or trademarks number(s):
If this document is being filed together with a new application, the execution date of the application is: ==

| | | | |
|---------------------------------|------------|------------|------------|
| A. Trademark Application No.(s) | | | |
| 76/194,903 | 76/194,904 | 76/194,905 | 76/153,696 |
| 76/086,822 | 76/115,617 | 76/377,238 | |
| 76/194,900 | 76/194,901 | 76/194,902 | |
| 76/150,066 | 76/086,823 | 76/115,615 | |

| | |
|-------------------------------|-----------|
| B. Trademark Registration(s). | |
| 2,538,858 | 2,016,753 |
| 1,881,120 | |
| 2,533,268 | |
| 2,573,055 | |

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
Donald D. Evenson, Esq.
CROWELL & MORING LLP
P.O. BOX 14300
Washington, D.C. 20004-4300
Phone: 202-624-2500
Facsimile: 202-628-5116
e-mail: devenson@crowell.com

6. Total number of applications and registrations involved: 16
7. Total Fee (37 CFR 3.41): \$ 465.00
 Enclosed. Please charge any underpayment in connection with this Assignment to Deposit Account No. 05-1323
 Authorized to be charged to Deposit Account
8. Deposit Account No. 05-1323
(Attach dupl. copy of this page if paying by Deposit Account)

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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.
Donald D. Evenson
Donald D. Evenson, Esq. December 3, 2002
Date
TOTAL NUMBER OF PAGES INCLUDING COVER SHEET, ATTACHMENTS, AND DOCUMENT: 15

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

12/16/2002 6TOM11 00000016 76194903
01 FD:0521 40.00 OP
02 FD:0522 425.00 OP

TRADEMARK
REEL: 2633 FRAME: 0769

| | | | | | |
|---|-----------------------------|---|--|--------------------|--|
| a) Firma b) Sitz c) Gegenstand des Unternehmens | Grund- oder Stammkapital DM | Vorstand Persönlich haftende Geschäftsführer Abwickler | Beglaubigte ^{Prokura} Abschrift | Rechtsverhältnisse | a) Tag der Eintragung und-Unterschrift b) Bemerkungen |
|---|-----------------------------|---|--|--------------------|--|

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| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|---|---|---|---|---|---|---|

a) ESPE Dental Aktiengesellschaft
 b) Seefeld, Landkreis Starnberg

100.000.--

Skogstad Robert,
 Diplom-Kaufmann in
 Starnberg;
 Dr. Gasser Oswald,
 Dipl.-Chemiker in
 Seefeld;
 Janni Karl, Kauf-
 mann in Inning

Prokura zusammen mit einem
 Vorstandsmitglied oder einem anderen
 Prokuristen
 1) Jockisch Bernd, Geymering;
 2) Hermann Karl-Heinz, Windach. Er ist
 nicht mehr Einzelprokurist.

1)24.4.1998
 Hofmann
 b) Beschluss
 Bl. 4 SB
 Neue Satzung
 Bl. 7 SB

stellung von und Handel mit Den-
 tal-Produkten aller Art sowie den
 Dentalbereich betreffenden chemi-
 schen und pharmazeutischen Produk-
 ten, einschließlich aller diese
 Produkte ergänzenden Erzeugnisse
 und Waren.

1) Jockisch Bernd, Geymering;
 2) Hermann Karl-Heinz, Windach. Er ist
 nicht mehr Einzelprokurist.

Der Vorstand ist für die Dauer von fünf Jahren, gerechnet
 ab Eintragung der formwechselnden Umwandlung vom 10. März
 1998 in das Handelsregister ermächtigt, das Grundkapital
 der Gesellschaft mit Zustimmung des Aufsichtsrats durch
 Ausgabe neuer Aktien gegen Bar- oder Sacheinlagen einmalig
 oder mehrfach, jedoch insgesamt höchstens um einen Nenn-
 betrag vom DM 50.000.-- zu erhöhen (genehmigtes Kapital).
 Ist nur ein Vorstandsmitglied bestellt, so vertritt es die
 Gesellschaft allein. Sind mehrere Vorstandsmitglieder
 bestellt, so wird die Gesellschaft entweder durch zwei
 Vorstandsmitglieder oder durch ein Vorstandsmitglied
 zusammen mit einem Prokuristen vertreten.

Die Hauptversammlung vom 12. März 1998 hat die Änderung
 des § 1 (Sitz, bisher Augsburg (AG Augsburg, HRB 94)) der
 Satzung beschlossen.

Ferner wurde geändert:
 § 8 (Aufsichtsrat).
 Zu Vorstandsmitgliedern sind bestellt:
 Dr. Gasser Oswald, Dipl.-Chemiker in Seefeld und Janni
 Karl, Kaufmann in Inning.

Die Hauptversammlung vom 05. Mai 1998 hat die Änderung des § 12.5.1998
 § 8 (Zusammensetzung und Amtsdauer des Aufsichtsrats) der
 Satzung beschlossen.

Die Hauptversammlung vom 05. Mai 1998 hat die Änderung des § 12.5.1998
 § 8 (Zusammensetzung und Amtsdauer des Aufsichtsrats) der
 Satzung beschlossen.

Kellerer
 b) Beschluss
 Bl. 9 SB
 Neue Satzung
 Bl. 12 SB

HR B1 20347

| Zintra- zung | a) Firma b) Sitz c) Gegenstand des Unternehmens | Grund- oder Stammkapital DM | Vorstand Persönlich haftende Gesellschafter Geschäftsführer Abwickler | Prokura | Rechtsverhältnisse | a) Tag der Eintragung und Unterschrift b) Benützkungen |
|-----------------|---|--------------------------------------|---|---------|--|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 3 | | | | | Die Gesellschaft hat im Wege der Nachgründung am 30. März 1998 mit der SIH Stiftung & Co. Industrieholding KG, Seefeld, einen Vertrag betreffend den Erwerb sämtlicher Geschäftsanteile der ESPE Dental-Medizin Verwaltungsgesellschaft mbH mit dem Sitz in Seefeld sowie einen Vertrag betreffend den Erwerb der gesamten Kommanditbeteiligung an der Kommanditgesellschaft in Firma ESPE Dental-Medizin GmbH & Co. KG mit dem Sitz in Seefeld abgeschlossen. | a) 14.7.1998 <i>Wu</i> Kellerer b) Vertrag Bl. 17 SB Beschluß Bl. 19 SB |
| 4 | | | | | Die Hauptversammlung vom 05. Mai 1998 zugestimmt. | a) 14.9.1998 <i>Wu</i> Kellerer b) Beschluß Bl. 25 SB Neue Satzung Bl. 28 SB |
| 5 | | | | | Die Hauptversammlung vom 31. Juli 1998 hat die Änderung des § 10 (Einberufung und Beschlussfassung des Aufsichtsrats) und § 12 (Ort der Einberufung) der Satzung beschlossen. | a) 15.11.1998 <i>Wu</i> Kellerer b) Verschmelzungsvertrag Bl. 25 SB Beschlüsse Bl. 23, 25 SB |
| 6 | In Wertingen ist eine Zweigniederlassung unter der Firma "ESPE Dental AG Betrieb Wertingen" errichtet. (AG Augsburg HRB 16686) | | | | Die "NP Medizinische Produkte GmbH" mit dem Sitz in Wertingen (AG Augsburg HRB 10260) ist auf Grund des Verschmelzungsvertrags vom 31. Juli 1998 und des Beschlusses ihrer Gesellschafterversammlung vom 31. Juli 1998 sowie des Beschlusses der Gesellschafterversammlung der übertragenden Gesellschaft vom 31. Juli 1998 mit der Gesellschaft verschmolzen. | a) 11.12.1998 <i>Wu</i> Kellerer |

TRADEMARK

REEL: 2633 FRAME: 0771

12034

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|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|

der Eintragung

a) Firma
b) Sitz
c) Gegenstand des Unternehmens

Grund- oder Stammkapital DM

Vorstand
Persönlich haftende Gesellschafter
Geschäftsführer
Abwickler

Prokura

Rechtsverhältnisse

a) Tag der Eintragung und Unterschrift
b) Bemerkungen

7

10.750.000.--

Die Hauptversammlung vom 16. November 1998 hat die Erhöhung des Grundkapitals um 30.650.000.-- DM auf 30.750.000.-- DM und die Änderung des § 5 (Höhe und Einteilung des Grundkapitals) der Satzung beschlossen.

Es handelt sich um eine Kapitalerhöhung aus Gesellschaftsmitteln.
Ferner wurde geändert:
§ 14 (Beschlussfassung und Stimmrecht).

Harthagen

b) Beschluss
Bl. 35 SB
Neue Satzung
Bl. 37 SB

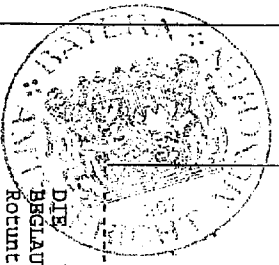
8

a) BM ESPE AG

Die Hauptversammlung vom 12. März 2001 hat die Änderung des § 1 (Firma) der Satzung beschlossen.

Harthagen

b) Beschluss
Bl. 63 SB
Neue Satzung
Bl. 64 SB



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Kontumierstreichungen erscheinen in der Photokopie schwarz, aus phototechnischen Gründen nur undeutlich oder überhaupt nicht.

Amtsgericht - Registergericht - München, den 27. März 01

BRONX
Justiz

TRANSLATOR'S DECLARATION

I, CHRISTA SCHAERTEL, declare and say:

1. That I reside at 413 South Fayette Street, Alexandria, Virginia 22314;
2. That I am thoroughly familiar with the German and English languages, holding Translator's and Interpreter's Diplomas from the Institute of Interpreting and Foreign Languages, Goettingen, Germany;
3. And that I translated the photocopy of the Excerpt from the Commercial Register of the District Court of München HR B 120347, certified on March 27, 01, written in the German language;

That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Christa Schaertel

Date: January 26, 2002

TRANSLATION OF EXCERPT FROM THE COMMERCIAL REGISTER

Page

District Court München

Certified Copy

HR B 120347

| | | | | | | |
|----------------------|------------------------------------|------------------|----------------------------------|---------------------------|---------------------|-----------------------|
| No. of Entry Signat. | a) Firm b) Seat c) Object of | Capital Stock | Board of Directors Personally | Full Power of Attorney | Legal Relationships | a) Date of Entry & |
|----------------------|------------------------------------|------------------|----------------------------------|---------------------------|---------------------|-----------------------|

| | | | |
|----------|----|---|------------|
| Enterpr. | DM | Liabile Partners Managers Liquidators | b) Remarks |
|----------|----|---|------------|

1 2 3 4 5 6 7

a) ESPE Dental 100,000.--- Skogstad Full power Corporation, created a)4/24/98
Aktiengesellschaft Robert, of attorney by transformation b) Signature
 Bus. Grad. together of "ESPE Dental GmbH" Hofmann
 (Univ.) in with a member of with its seat in

b) Seefeld, District Starnberg Dr. Gasser the board Augsburg (AG Augsburg b)Decision
 Oswald, or directors of HRB 16158) according Page 4 SB
 chemist in procurist or another shareholders' meeting By-Laws
 Seefeld; of January 30, 1998. Page 7 SB

c) Production of and 1)Jokisch For the duration of
 trade with dental Bernd, five years, counted
 products of all types, Germering; from the registration
 as well as chemical 2)Hermann of the form-changing
 and pharmaceutical Karl-Heinz transformation of 3/10/98
 products relating to Windach. into the Commercial
 to the dental field, He is no Register, the Board of
 including all products longer a Directors is authorized
 and goods supplementing solely to increase the capital
 these products. authorized stock of the company with

Continuation of Translation of Page 1

District Court München

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HR B 120347

procurist. the consent of the Supervisory Board by the issuance of new shares against contributions in

| No. of Entry Signat. | a) Firm Seat Object of | Capital Stock | Board of Directors Personally | Full Power of Attorney | Legal Relationships | a) Date of Entry & | b) Remarks |
|----------------------|------------------------|---------------|-------------------------------|------------------------|---------------------|--------------------|------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | |

of cash or non-cash once or several times but by no more than a total par value of DM 50,000.-- (authorized capital).

If only one member of the Board of Directors is appointed, this member is the sole representative of the company. If several members of the Board are appointed, the company is represented either by two members of the Board or by one member of the Board together with one

procurist.
 The general meeting of 3/12/98
 adopted the amendment of Par.
 1 (Seat, Previously Augsburg
 (AG Augsburg, HRB 94)) of the
 By-Laws.

2nd Continuation of Translation of Page 1

District Court München

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HR B 120347

| No. of Entry Signat. | a) Firm Seat b) Object of | Capital Stock | Board of Directors Personally | Full Power of Attorney | Legal Relationships | a) Date of Entry & | b) Remarks |
|----------------------|------------------------------|---------------|---------------------------------------|------------------------|---------------------|--------------------|------------|
| 1 | Enterpr. | DM | Liabile Partners Managers Liquidators | | | | |

The following was also amended:

Par. 8 (Supervisory Board).

Appointed as Members of the Board:
 Dr. Gasser Oswald, chemist in Seefeld
 and Janni Karl, businessman in Inning.

The general meeting
 of 5/5/98 adopted
 the amendment of
 Par. 8 (Composition
 and Term of the
 Supervisory Board)
 of the By-Laws.

a) 5/12/98
 Signature
 Kellerer

b) Decision
 Page 9 SB
 New By-
 Laws
 Page 12 SB

Translation of the Back of Page 1

District Court München Certified Copy

HR B 120347

| No. of Entry Signat. | a) Firm Seat | Capital Stock | Board of Directors Personally | Full Power of Attorney | Legal Relationships | a) Date of Entry & |
|----------------------|--------------|---------------|---|------------------------|---------------------|--------------------|
| 1 | Enterpr. | DM | Liabile Partners Managers Liquidators | | | b) Remarks |
| 2 | | | | | | |
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By way of the post-formation acquisition, the company on 3/30/98 made an agreement with SIH Stiftung & Co. Industrieholding KG, Seefeld, concerning the

a) 7/14/98
 Signature
 Kellerer

b) Agreement.
 Page 17 SB
 Decision
 Page 19 SB

acquisition of all
business shares of
ESPE Dental-Medizin
Verwaltungsgesellschaft
mbH with its seat
in Seefeld as well as
an agreement concerning
the acquisition of the
entire limited partner's
capital contribution in
the firm ESPE Dental-
Medizin GmbH & Co. with
its seat in Seefeld.

The general meeting
consented on 5/5/98.

Continuation of Translation of the Back of Page 1

District Court München

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HR B 120347

| No. of Entry Signat. | a) Firm Seat b) Object of c) Enterpr. | Capital Stock | Board of Directors Personally | Full Power of Attorney | Legal Relationships | a) Date of Entry & | b) Remarks |
|----------------------|---|---------------|----------------------------------|---------------------------|---------------------|-----------------------|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | |
| | | | | | | | |
| 4 | | | | | | | The general meeting of 7/31/98 adopted the amendment of Par. Kellerer 10 (Convening and |

Resolution of the
Supervisory Board)
and 12 (Place of
Convening) of the
By-Laws.

b) Decision
Page 25 SB
New By-
Laws
Page 28 SB

5

On the basis of the
merger agreement of
7/31/98 and of the
decision of its
shareholders' meeting
of 7/31/98 as well as
of the decision of
the shareholders'
meeting of the
transferring company
of 7/31/98, the
"MP Medizinische
Produkte GmbH" with
its seat in Wertingen
(AG Augsburg HRB 10260)

a) 11/5/98
Signature
Kellerer
b)
Merger
Agreement
Page 25 SB
Decisions
Pages 23,
25 SB

2nd Continuation of Translation of the Back of Page 1

District Court München

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HR B 120347

| | | | | | | |
|----------------------|-----------------------|---------------|---------------------------------------|------------------------|---------------------|--------------------|
| No. of Entry Signat. | a) Firm Seat | Capital Stock | Board of Directors Personally | Full Power of Attorney | Legal Relationships | a) Date of Entry & |
| | b) Firm Seat | | | | | |
| | c) Object of Enterpr. | DM | Liabile Partners Managers Liquidators | | | b) Remarks |

1

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is merged with the
company.

A branch was established

a) 12/11/98

in Wertingen under the
firm name "ESPE Dental
AG Betrieb Wertingen".
(AG Augsburg HRB 16686)

Signature
Hartmann

TRADEMARK

REEL: 2633 FRAME: 0780

Translation of the Page 2

District Court München

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HR B 120347

No. a) Firm
of b) Seat
Entry c) Object of
Signat.

Board of
Directors
Personally

Full Power
of Attorney
Legal Relationships

a) Date of
Entry &

Enterpr. DM

Liabie Partners
Managers
Liquidators

b) Remarks

1 2 3 4 5 6 7

7 30,750,000.--

The general meeting on 11/16/98 adopted the increase of the capital stock by DM 30,650,000.-- to DM 30,750,000.-- and the amendment of Par. 5 (Amount and Budgeting of the Capital Stock) of the by-laws.

a) 12/29/98
Signature
Hartmann

b) Decision
Page 35 SB
New By-
Laws
Page 37 SB

This is an increase in the capital stock from corporate assets. The following was also amended:
Par. 14 (Resolutions and Voting Rights)

8 a)

The general meeting a) 3/22/01

3M ESPE AG

of 3/12/01 adopted
the amendment of
Par. 1 (Firm) of
the by-laws. b) Decision
Signature
Hartmann

Continuation of Translation of the Page 2

District Court München

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HR B 120347

| | | | | | | |
|-----|--------------|---------|-----------------|-------------|---------------------|------------|
| No. | a) Firm | Capital | Board of | Full Power | Legal Relationships | a) Date of |
| | b) Seat | Stock | Directors | of Attorney | | Entry & |
| | c) Object of | | Personally | | | |
| | Signat. | | | | | |
| | Enterpr. | DM | Liabie Partners | | | b) Remarks |
| | | | Managers | | | |
| | | | Liquidators | | | |

| | | | | | | |
|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|---|---|---|---|---|---|---|

Page 63 SB
New By-
Laws
Page 64 SB

(Seal) IT IS CERTIFIED THAT THIS PHOTOCOPY
CORRESPONDS TO THE COMMERCIAL REGISTER:

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photocopy. For phototechnical reasons,
it is unclear or does not appear at all.

District Court - Registry Court - München

March 27, 2001
(Signature)
Brock
Judicial Clerk

Clerk of the Court