

Form PTO-1594
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02-09-2004

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office



To the Honorable Commissioner of Patents

102664561

original documents or copy thereof.

1. Name of conveying party(ies):

DJ ORTHOPEDICS DEVELOPMENT CORPORATION

2-4-04

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State (Delaware)
☐ Other

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☒ Security Agreement ☐ Change of Name
☐ Other

Execution Date: November 26, 2003

2. Name and address of receiving party(ies)

Name: Wachovia Bank, National Association

Internal

Address: Attn: Syndication Agency Services

Street Address: 201 South College Street, 8th Floor NC 0680

City: Charlotte State: NC Zip: 28288-0680

- ☐ Individual(s) citizenship
☐ Association
☐ General Partnership
☐ Limited Partnership
☐ Corporation-State
☒ Other National Association

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

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,808,418
1,855,133

Additional number(s) attached ☐ Yes ☒ No

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

Name: Anne Reece, Paralegal

Internal Address:

Robinson, Bradshaw & Hinson, P.A.

Street Address: 101 N. Tryon Street, Suite 1900

City: Charlotte State: NC Zip: 28246

6. Total number of applications and registrations involved:

2

7. Total fee (37 CFR 3.41) \$65.00

- ☒ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number:

500327

(Attach duplicate copy of this page if paying by deposit account)

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.

Anne Reece, Paralegal

Name of Person Signing

Anne McReece

Signature

February 3, 2004

Date

4

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

02/06/2004 HETACHE 00000095 1000410

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

01 FC:6521
02 FC:6522

40.00 DP
25.00 DP

C-861423v01_15164.00013

TRADEMARK
REEL: 002910 FRAME: 0067

**ASSIGNMENT AND GRANT OF SECURITY INTEREST
IN PATENTS AND TRADEMARKS**

WHEREAS, DJ ORTHOPEDICS DEVELOPMENT CORPORATION (the “Pledgor”) is the owner of the trademarks and service marks listed on Schedule A attached hereto, which marks are registered or have pending registrations in the United States Patent and Trademark Office as set forth on Schedule A attached hereto (all such trademarks, service marks, registrations and applications, collectively, the “Trademarks”) and is the owner of the patents listed on Schedule A attached hereto, which patents are registered or have pending applications in the United States Patent and Trademark Office as set forth on Schedule A attached hereto (all such patents, registrations and applications, collectively, the “Patents”); and

WHEREAS, the Pledgor has entered into a Security Agreement (as amended, modified, restated or supplemented from time to time, the “Security Agreement”), dated as of November 26, 2003, in which the Pledgor has agreed with Wachovia Bank, National Association, as Administrative Agent (the “Administrative Agent”), with offices at One Wachovia Center, 301 South College Street, Charlotte, North Carolina 28288-0735, to execute this Assignment;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, as security for the payment and performance of the Secured Obligations (as defined in the Security Agreement), the Pledgor does hereby assign and grant to the Administrative Agent a security interest in all of its right, title and interest in and to the Trademarks and the Patents, and the use thereof, together with all proceeds and products thereof and the goodwill of the businesses symbolized by the Trademarks and the Patents. This Assignment has been given in conjunction with the assignment and security interest granted to the Administrative Agent under the Security Agreement, and the provisions of this Assignment are without prejudice to and in addition to the provisions of the Security Agreement, which are incorporated herein by this reference.

**DJ ORTHOPEDICS DEVELOPMENT
CORPORATION**

By: 

Title: Senior Vice President and Chief Financial
Officer

State of California

County of San Diego

Before me appeared Vickie Capps, the person who signed this instrument, who acknowledged that he/she signed it as a free act on his/her own behalf or on behalf of the identified corporation or other juristic entity with authority to do so.

This 25th day of November, 2003.

Mari Anicete Reigel
Notary Public

(Seal)



My Commission Expires: 11-30-05

SCHEDULE A

TRADEMARKS AND TRADEMARK APPLICATIONS

dj Orthopedics Development Corporation = dj DC

<u>Pledgor</u>	<u>Mark</u>	<u>Application or Registration No.</u>	<u>Country</u>	<u>Issue or Filing Date</u>
dj DC	ORTHOFRAME	1,808,418	United States	
dj DC	SPINALOGIC	1,855,133	United States	