
**RECORDATION FORM COVER SHEET
TRADEMARKS ONLY**

Asst. Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202

RE: Our File: T-

1. <u>Name (and address) of conveying party(ies)</u>	2. <u>Name and Address of receiving party(ies)</u>
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Orthotec, LLC
9595 Wilshire Blvd., Suite 502
Beverly Hills, CA 90212

Eurosurgical, S.A.
18 Rue Robespierre
62217 Beaurains, France

<input type="checkbox"/> Individual <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation - Delaware <input type="checkbox"/> Other-	<input type="checkbox"/> Individual(s) citizenship <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation - France <input type="checkbox"/> Other -
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If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

3. Nature of conveyance:

<input type="checkbox"/> Assignment; <input type="checkbox"/> Security Agreement; <input checked="" type="checkbox"/> Other: Notice of Invalid Assignment	<input type="checkbox"/> Merger <input type="checkbox"/> Change of Name <input type="checkbox"/> Change of Address
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Execution Date: December 10, 2004

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

Application Nos.: 78/244542, 78/377605, 78/157525,
76/444638, 76/568102, 76/462298, 76/189937

Additional numbers attached Yes No

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

COLLEN IP
Intellectual Property Law, P.C.
The Holyoke-Manhattan Building
80 South Highland Avenue
Town of Ossining
Westchester County, New York 10562

6. Total number of registrations involved: Seven (7)

7. Total fee (37 CFR 3.41) \$ 190.00

Enclosed
 Authorized to be charged to deposit account
 Already submitted

8. Deposit account number: 03-2465

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

DO NOT USE THIS SPACE

9. 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.

Jess M. Collen

Name of person signing


Signature

December 22, 2004

Date

Total number of pages comprising cover sheet, attachments and documents: Nine (9)

Enclosures: (2) Notice of Invalid Assignment; Notice of Appeal, Certificate of Facsimile Transmission

MC/LL

Notice of Invalid Assignment

Eurosurgical, S.A., ("Eurosurgical"), a corporation organized and existing under the laws of France, with a principal address at 18 Rue Robespierre, 62217 Beaurains, France, owner of record, hereby contests the purported assignment recorded on September 27, 2004 by Orthotec, LLC ("Orthotec") at Reel/Frame 002945/0711 (the "September 27, 2004 Assignment").

This Notice of Invalid Assignment is based upon: (1) Eurosurgical's appeal of the Superior Court of California, Los Angeles County judgment dated August 27, 2004, ("the Judgment"), which judgment is the basis of the September 27, 2004 Assignment; and (2) that the September 27, 2004 Assignment pertains to trademarks that were not adjudicated by or come within the scope of the terms of the Judgment.

(A copy of the Eurosurgical's Notice of Appeal is annexed to this notice as "Exhibit A" and made a part hereof.)

This Notice pertains to all of those marks listed in the document referenced above as recorded at Reel/Frame 002945/0711, namely:

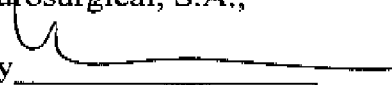
Trademark Applications:

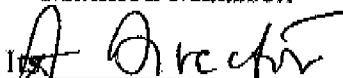
78/244542 for the mark "Oria Zenith"
78/377605 for the mark "Alis"
78/157525 for the mark "Eurosurgical"
76/444638 for a Miscellaneous Design
76/568102 for the mark "Eovia"
76/462298 for the mark "Oria"
76/189937 for the mark "Spine Network Group of Companies"

Trademark Registrations:

2,857,348 for the mark "Oria"
2,710,524 for the mark "Spine Network Group of Companies"

Eurosurgical, S.A.,

By 
Mathieu Maassen

Its 
Director

Dated December 10, 2004

Exhibit A

COPY

1 MICHAEL R. NEWMAN (State Bar No. 49676)
 2 JEFFERY J. DAAR (State Bar No. 105536)
 3 DAAR & NEWMAN
 4 A Professional Law Corporation
 5 865 South Figueroa Street, Suite 2300
 6 Los Angeles, California 90017-2565
 7 (213) 892-0999
 8 Attorneys for EuroSurgical S.A.

ORIGINAL FILED

Case Appeals Room 111

NOV 16 2004

LOS ANGELES SUPERIOR COURT

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 9 FOR THE COUNTY OF LOS ANGELES

11 ORTHOTEC, LLC, a Delaware
 12 Limited Liability Company,

13 Plaintiff,

14 vs.

15 EUROSURGICAL, S.A., a French
 16 Corporation, DOES 1 through 50,

17 Defendants.

18 And Related Cross-Action.
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Case No. BC 276 958

Hon. Joanne O'Donnell
Department 37

NOTICE OF APPEAL

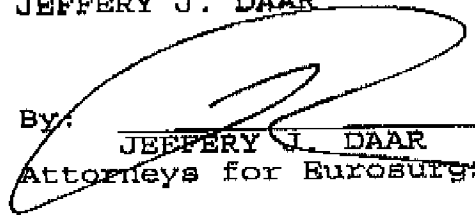
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PLEASE TAKE NOTICE that defendant and cross-complainant EuroSurgical S.A. hereby appeals from the Judgment entered on August 27, 2004 and from the Order Denying EuroSurgical's Motion for Judgment Notwithstanding the Verdict entered on October 25, 2004.

Dated: November 15, 2004

DAAR & NEWMAN,
A Professional Law Corporation
MICHAEL R. NEWMAN
JEFFERY J. DAAR

By: 
JEFFERY J. DAAR
Attorneys for EuroSurgical S.A.

PROOF OF SERVICE

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STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 865 South Figueroa St., Suite 2300, Los Angeles, California 90017-2565.

On November 15, 2004, I served the foregoing document(s) described as NOTICE OF APPEAL on the interested parties to this action who are listed on the attached Service List.

BY MAIL: By placing a true copy thereof in a sealed envelope(s) and causing them to be deposited in the mail at Los Angeles, California. The envelopes were mailed with postage thereon fully prepaid. I am readily familiar with our firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation or postage meter date is more than one day after date of deposit for mailing affidavit.

BY HAND: By delivering a true copy thereof in sealed envelopes to the office of the parties listed on the attached Service List.

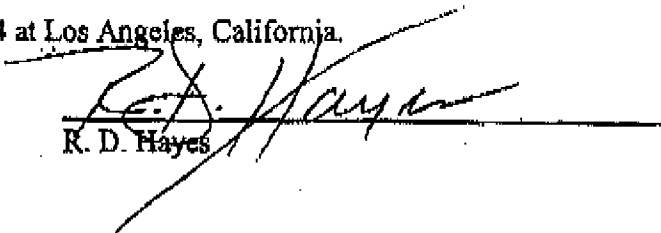
BY TELECOPY: By transmitting a true copy thereof via facsimile machine to the offices of the parties listed on the attached Service List, I caused the copy to be transmitted to those parties at the fax numbers listed thereon. The transmission was reported as complete and without error.

BY OVERNIGHT (UPS): By placing a true copy thereof in sealed envelope(s) and causing them to be collected for UPS delivery. The envelope(s) were sent with UPS fees therefore fully paid, with written instructions for "next-day" delivery.

STATE: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own personal knowledge.

FEDERAL: I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct of my own personal knowledge, and that I am employed in the office of a member of the Bar of this Court at whose discretion this service was made.

Executed on November 15, 2004 at Los Angeles, California.


R. D. Hayes

SERVICE LIST

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Michael J. Perry
 Law Offices of Michael J. Perry
 330 Washington Boulevard, Suite 400
 Marina Del Rey, California 90292
 FAX: 310/306-3456

Peter W. Ross, Esq.
 Browne & Woods, LLP
 450 North Roxbury Drive
 Seventh Floor
 Beverly Hills, CA 90210-4231
 FAX: 310/275-9697