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FORM P1-1005 (altered)

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U.S. DEPARTMENT OF COMMERCE

(Rev. 6-93)

OMB No. 0651-0011 (exp. 4/94)



Patent and Trademark Office

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

1. Name of conveying party(ies):

THE UNIVERSITY OF TORONTO INNOVATIONS
FOUNDATIONAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

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

Execution Date: January 29, 1997

2. Name and address of receiving party(ies):

Name: INNOVA CORP.

Internal Address: _____

Street Address: 525 University Avenue, Suite 777City: Toronto State/Province: OntarioCountry: Canada ZIP/Postal Code: M5G 2L3Additional name(s) & address(es) attached? ☐ Yes ☒ No

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

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s):

B. Patent No(s):

5,344,457

Additional numbers attached? ☐ Yes ☒ No

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

Name: Riches, McKenzie & HerbertAttn: R. Brant LathamInternal Address: Suite 2900Street Address: 2 Bloor Street EastCity: Toronto State/Province: OntarioCountry: Canada ZIP/Postal Code: M4W 3J5

6. Total number of applications and patents involved: 1

7. Total Fee (37 CFR 3.41) \$ 40.00☒ Enclosed (Cheque No. 1657)☐ Authorized to be charged to deposit account.

8. Deposit account number:

18-1350

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

08/31/1998 INNOVATION 00000021 5344457

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Signature and signature.

40.00 DP

*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.*R. Brant Latham

Name of Person Signing

30,013

Reg. No.

Signature

August 17, 1998

Date

Total number of pages including cover sheet, attachments, and document: 4

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

PATENT

REEL: 9405 FRAME: 0238

pat 1313597
p 9895

NOTARIAL CERTIFICATE OF TRUE COPY

Canada)
)
Province of Ontario)
)

I, **GARY MARK TRAVIS**, a Notary Public in the Province of Ontario do certify that I have compared the annexed copy with an original document and that the same is a true copy of said original document.

Toronto, Ontario, Canada

This 4th day of February, 1997.

(Seal)



GARY MARK TRAVIS

PATENT
REEL: 9405 FRAME: 0239

CONFIRMATORY LICENCE AGREEMENT

BETWEEN: THE UNIVERSITY OF TORONTO INNOVATIONS
FOUNDATION, a not-for-profit corporation
whose full post office address is
525 University Avenue
Suite 925
Toronto, Ontario, Canada, M5G 2L3
(hereinafter referred to as the LICENSOR)

and

INNOVA CORP., a company
whose full post address is
525 University Avenue
Suite 777
Toronto, Ontario, Canada, M5G 2L3
(hereinafter referred to as the LICENSEE)

WHEREAS the LICENSOR is the owner of Canadian Patent No. 1,313,597 entitled "Porous Surfaced Implant" which issued on 16 February 1993 (hereinafter referred to as the PATENT);

WHEREAS the LICENSOR had the authority to grant a licence for the manufacture, use or sale of the invention which is the subject of the PATENT;

WHEREAS the LICENSEE wished to obtain a licence to the manufacture, use and sale of the invention which is the subject of the PATENT; and

WHEREAS on or about August 10, 1988 the LICENSOR granted to the LICENSEE a licence to the manufacture, use or sale of the invention which is the subject of the PATENT, under terms and conditions previously agreed upon.


NOW THEREFORE, in consideration of \$1.00 (ONE DOLLAR), the covenants, terms, conditions and agreements contained herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledge, that parties hereto agree, acknowledge and confirm as follows:

1. The LICENSOR hereby confirms and acknowledges that an exclusive licence to the manufacture, use or sale of the invention which is the subject of the PATENT has been granted to the LICENSEE (hereinafter the LICENCE);
2. The LICENCE is subject to the terms and conditions as previously agreed upon by the LICENSOR and LICENSEE, and amended from time to time.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in a legally binding manner.

EXECUTED at Toronto, Ontario, this 29TH day of January, 1997.

THE UNIVERSITY OF TORONTO
INNOVATIONS FOUNDATION


NAME: Ed Kenney
POSITION: President

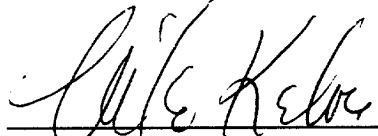
Witness: Nicole Brebner

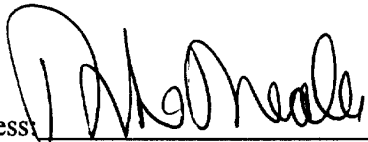
Name: NICOLE BREBNER

Address: 231 INDIAN GROVE, TORONTO, ON

EXECUTED at Toronto, Ontario, this 29TH day of January, 1997.

INNOVA CORP.


NAME: Mike Kehoe
POSITION: President

Witness: 

Name: Michael Nealan

Address: 3268 Doreuil Mews
Mississauga, Ontario