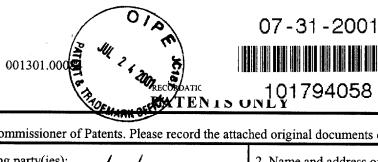
Atty Docket No.:

FORM PTO-1595 1-31-92





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a. Burke T. Barrett	Name:	Cyberonics, Inc.
b. Mitchell S. Roslin	Address:	16511 Space Center Boulevard
Additional name(s) of conveying party(ies) attached? □Yes ■No		Houston, Texas 77058
3. Nature of Conveyance:		
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4. Application number(s) or patent number(s):		
If this document is being filed together with a new application, the execution date of the application is:		
A. Patent Application No.(s) 09/753,758	B. Patent No.(s)	
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5. Name and address of party to whom correspondence concerning document should be mailed:	6. Total applications and patents involved: 1	
BLANK ROME COMISKY & MCCAULEY LLP THE FARRAGUT BUILDING SUITE 1000	7. Total fee (37 CFR 3.41): \$40.00 ■ Enclosed □ Authorized to be charged to deposit account	
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PATENT 11/2000 REEL: 012006 FRAME: 0956

ATTORNEY'S DOCKET: 001031.00084

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BURKE T. BARRETT, ET AL.

Group Art Unit:

Serial No. 09/753,758

Oroup I in Clint.

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Examiner: (not yet designated)

Filed: 01/02/2001

Title: TREATMENT OF OBESITY BY SUB-DIAPHRAGMATIC NERVE STIMULATION

ASSIGNMENT

In consideration of my agreement with CYBERONICS, INC., and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I, a below named inventor, residing in the city listed below my name, hereby assign, transfer, and deliver to CYBERONICS, INC., a Delaware corporation, its successors and assigns (collectively referred to as "CYBERONICS"), all of my right, title and interest in and to all subject matter invented by me, whether alone or jointly with other individuals named herein, disclosed in the above-referenced application for United States patent, and in and to any and all patents and any and all Convention and Treaty rights of all kinds, on counterparts or related applications for patent or similar rights in all countries throughout the world, for all such subject matter. I further agree to sign all documents necessary to secure all such patents and rights, and I request that all such patents and rights be issued to CYBERONICS in accordance with this Assignment.

I confirm that I have not made any agreement in conflict with this Assignment. I further agree that I will provide information within my knowledge or information and belief, and do all other relevant things that CYBERONICS deems necessary or desirable and requests of me in connection with obtaining or maintaining, or in connection with any proceeding, controversy or litigation pertaining to, any such patents and rights, or in order to perfect and/or enforce CYBERONICS' ownership of the right, title and interest conveyed by this Assignment, or in connection with this Assignment, without payment of consideration to me beyond that called for in my agreement with CYBERONICS, on the understanding, however, that CYBERONICS will bear all reasonable expenses actually incurred for or in connection with such matters. This Assignment and the obligations assumed by me in this Assignment shall be binding on my heirs and personal representatives.

In witness whereof, I have executed this document with my signature under seal on the date below.

Burke T. Barrett

Date

Residence. Houston, Texas

RECORDED: 07/24/2001

Mitchell S. Roslin

Date

Residence: New York, New York

DRG/CYBASNMT.084/07161

PATENT REEL: 012006 FRAME: 0957