

11-04-2002

SHEET

SYN-066B



/

To the Honorable Commissioner c

102269673

.a attached original documents or copy thereof.

## 1. Name of Conveying party(ies):

Robert SIXTO, Jr.  
Kevin W. SMITH  
Juergen A. KORTENBACH  
Michael Sean MCBRAYER  
Charles R. SLATER

10-29-02

Syntheon, LLC

8210 NW 27th Street  
Miami, FL 33122

OFFICE OF PATENT RECORDS  
702 OCT 27 AM 9:52  
FINANCE SECTION

## 3. Nature of conveyance:

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

Execution Date: 9/20/02 &amp; 10/1/02

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 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)

10/252,069

B. Patent No.(s)

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

Gordon & Jacobson, P.C.  
65 Woods End Road  
Stamford, CT 06905

## 6. Total number of applications and patents involved:

1

## 7. Total fee (37 CFR 3.41).....\$40

☒ Enclosed☐ Authorized to charge deposit account

## 8. Deposit account number: 07-1732

(attach duplicate page if paying by deposit account)

## 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.

David P. Gordon

Name of Person Signing

Signature

OCT 22, 2002

Date

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

5

10/01/2002 LNUELLER 00000307 10252069

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**SYN-066B****ASSIGNMENT**

WHEREAS, I, **Charles R. Slater**, hereinafter referred to as the "Inventor", a citizen of the US, whose post office address is 2350 South West 26 Avenue, Fort Lauderdale, FL 33312

have invented certain new and useful improvements in

**INSTRUMENT FOR APPLYING A SURGICAL FASTENER PARTICULARLY FOR THE TRANSORAL TREATMENT OF GASTROESOPHAGEAL REFLUX DISEASE (GERD)**

as described and set forth in an application for Letters Patent of the United States of America, filed by me on the **20th** day of **September, 2002** as serial number **10/252,069** (**Docket No.SYN-066B**).

AND WHEREAS, **SYNTHEON, LLC**, hereinafter referred to as the "said COMPANY", a corporation duly organized, incorporated, and existing under the laws of Florida, and having a place of business at 8210 NW 27th Street, Miami, FL 33122, is desirous of acquiring or confirming its acquisition of the entire right, title and interest in and to said invention, inventions or improvements, and in and to said application, and in and to any and all patents, both of the United States and of all foreign countries, that may be obtained therefor;

NOW, THEREFORE TO ALL WHOM IT MAY CONCERN, BE IT KNOWN, that I, the Inventors, for good and valuable considerations, the receipt and sufficiency of which I hereby acknowledge, have sold, assigned, transferred and conveyed, and by this assignment do sell, assign, transfer and convey, unto said COMPANY, its successors and assigns, the entire right, title and interest throughout the world, in and to our invention, inventions or improvements described or set forth in said application, in any form or embodiment thereof, and in and to said application, and in and to any applications filed in any foreign country based thereon, including the right to file foreign applications under the provisions of any convention or treaty; and in and to any confirmation, divisional, continuation, continuation-in-part, or substitute application which may be filed on said invention, inventions or improvements in the United States or in any foreign country; and in and to any and all patents, certificates, utility models, reissues, extensions, additions or confirmations thereof which may be granted in the United States or in any foreign country upon said invention, inventions or improvements, TO HAVE AND TO HOLD the same to the full end of the term or terms for which any and all such United States and foreign patents and grants may be issued on said invention, inventions or improvements.

AND I do hereby authorize and request the issuing authority to issue any and all of said United States and foreign patents on said application or applications to said COMPANY, its successors and assigns, as the assignees of the entire right, title and interest in and to the same, for the sole use and benefit of said COMPANY, its successors and assigns.

AND I do hereby covenant and warrant that I have full right to convey the entire right, title and interest herein assigned free and clear of all licenses, encumbrances and liens whatsoever, and that I have not executed and will not execute any instruments in conflict herewith.

SYN-0668

AND I, for the conditions aforesaid, do hereby covenant and agree to and with the said COMPANY, its successors and assigns, that I, my executors, administrators, or other personal representatives, shall and will do all lawful acts and things, make all rightful oaths, and make, execute, and deliver any and all other instruments in writing, and any and all further applications, papers, powers, affidavits, assignments, disclaimers and other documents, which in the opinion of counsel for said COMPANY, its successors and assigns, may be required or necessary in this or in any foreign country more effectually to secure to and vest in said COMPANY, its successors and assigns, the entire right, title and interest in and to said invention, inventions, or improvements, application or applications, patents, rights, titles, benefits, privileges and advantages hereby sold, assigned, confirmed, transferred and conveyed.

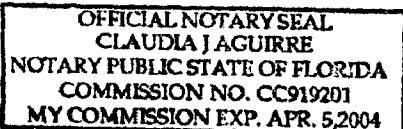
The undersigned hereby grant David P. Gordon, Esq. and David S. Jacobson, Esq. the power to insert on this Assignment any further identification which may be necessary in order to comply with the rules of the U.S. Patent and Trademark Office for the recordation of this document.

IN WITNESS WHEREOF, I, **Charles R. Slater**, have hereunto set my hand and seal this 1<sup>st</sup> day of October, 2002.

Charles R. Slater (L.S.)

State of Florida )  
County of Miami-Dade ) ss:

BE IT KNOWN, that on this 1<sup>st</sup> day of October 2002, personally appeared **Charles R. Slater**, to me known and known to me to be the individual described in and who executed the foregoing assignment and he/they acknowledged to me that he executed the same.



Claudia J. Aguirre  
Notary Public

SEAL

My commission expires : April 5, 2004

SYN-066B

**ASSIGNMENT**

WHEREAS, we, **Robert Sixto, Jr., Kevin W. Smith, Juergen A. Kortenbach, Michael Sean McBrayer and Charles R. Slater**, hereinafter referred to as the "Inventors", citizens of the US, the US, Canada, and the US respectively, whose post office addresses are respectively,

8235 SW 99th Street, Miami, FL 33156;  
570 Arvida Parkway, Coral Gables, FL 33156;  
122 Pinecrest Drive, Miami Springs, FL 33166;  
6160 Chapman Field Drive, Miami, FL 33156; and  
2350 South West 26 Avenue, Fort Lauderdale, FL 33312

have invented certain new and useful improvements in

**INSTRUMENT FOR APPLYING A SURGICAL FASTENER PARTICULARLY FOR THE TRANSORAL TREATMENT OF GASTROESOPHAGEAL REFLUX DISEASE (GERD)**

as described and set forth in an application for Letters Patent of the United States of America, filed by us on the 20th day of September, 2002  
(Docket No. SYN-066B).

AND WHEREAS, **SYNTHEON, LLC**, hereinafter referred to as the "said COMPANY", a corporation duly organized, incorporated, and existing under the laws of Florida, and having a place of business at 8210 NW 27th Street, Miami, FL 33122, is desirous of acquiring or confirming its acquisition of the entire right, title and interest in and to said invention, inventions or improvements, and in and to said application, and in and to any and all patents, both of the United States and of all foreign countries, that may be obtained therefor;

NOW, THEREFORE TO ALL WHOM IT MAY CONCERN, BE IT KNOWN, that we, the Inventors, for good and valuable considerations, the receipt and sufficiency of which we hereby acknowledge, have sold, assigned, transferred and conveyed, and by this assignment do sell, assign, transfer and convey, unto said COMPANY, its successors and assigns, the entire right, title and interest throughout the world, in and to our invention, inventions or improvements described or set forth in said application, in any form or embodiment thereof, and in and to said application, and in and to any applications filed in any foreign country based thereon, including the right to file foreign applications under the provisions of any convention or treaty; and in and to any confirmation, divisional, continuation, continuation-in-part, or substitute application which may be filed on said invention, inventions or improvements in the United States or in any foreign country; and in and to any and all patents, certificates, utility models, reissues, extensions, additions or confirmations thereof which may be granted in the United States or in any foreign country upon said invention, inventions or improvements, TO HAVE AND TO HOLD the same to the full end of the term or terms for which any and all such United States and foreign patents and grants may be issued on said invention, inventions or improvements.

AND we do hereby authorize and request the issuing authority to issue any and all of said United States and foreign patents on said application or applications to said COMPANY, its successors and assigns, as the assignees of the entire right, title and interest in and to the same, for the sole use and benefit of said COMPANY, its successors and assigns.

AND we do hereby covenant and warrant that we have full right to convey the entire right, title and interest herein assigned free and clear of all licenses, encumbrances and liens whatsoever, and that we have not executed and will not execute any

SYN-066B

instruments in conflict herewith.

AND we, for the conditions aforesaid, do hereby covenant and agree to and with the said COMPANY, its successors and assigns, that we, our executors, administrators, or other personal representatives, shall and will do all lawful acts and things, make all rightful oaths, and make, execute, and deliver any and all other instruments in writing, and any and all further applications, papers, powers, affidavits, assignments, disclaimers and other documents, which in the opinion of counsel for said COMPANY, its successors and assigns, may be required or necessary in this or in any foreign country more effectually to secure to and vest in said COMPANY, its successors and assigns, the entire right, title and interest in and to said invention, inventions, or improvements, application or applications, patents, rights, titles, benefits, privileges and advantages hereby sold, assigned, confirmed, transferred and conveyed.

The undersigned hereby grant David P. Gordon, Esq. and David S. Jacobson, Esq. the power to insert on this Assignment any further identification which may be necessary in order to comply with the rules of the U.S. Patent and Trademark Office for the recordation of this document.

IN WITNESS WHEREOF, we, **Robert Sixto, Jr., Kevin W. Smith, Juergen A. Kortenbach, Michael Sean McBrayer and Charles R. Slater,** have hereunto set our hands and seals this 20th day of September, 2002.

[Signature] (L.S.)  
[Signature] (L.S.)  
[Signature] (L.S.)  
[Signature] (L.S.)  
[Signature] (L.S.)

State of Florida )  
 ) ss:  
 County of Miami - )  
 Made

BE IT KNOWN, that on this 20th day of September 2002, personally appeared **Robert Sixto, Jr., Kevin W. Smith, Juergen A. Kortenbach, Michael Sean McBrayer and Charles R. Slater,** to me known and known to me to be the individual(s) described in and who executed the foregoing assignment and he/they acknowledged to me that he/they executed the same.

OFFICIAL NOTARY SEAL  
 CLAUDIA JAGUIRRE  
 NOTARY PUBLIC STATE OF FLORIDA  
 COMMISSION NO. CC919201  
 MY COMMISSION EXP. APR. 5 2004

S E A L

[Signature]  
 Notary Public

My commission expires : April 5, 2004