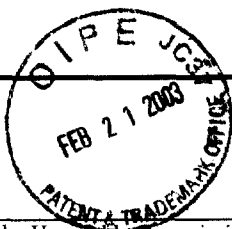


02-28-2003

Form PTO-1595



RECO

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

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

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

Javier Garcia-Bengochea  
Erik J. Wagner  
David J. Krueger

2-21-03

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

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

Name: Spinal Concepts, Inc.  
Street Address: 5301 Riata Park Court, Bldg. F  
City: Austin State: TX ZIP: 78727Additional name(s) and addresses attached? ☐ Yes ☒ No

## 3. Nature of conveyance

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

Execution Date: February 5, 2003

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

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

A. Patent Application No.(s):

10/291,223 filed November 8, 2002

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

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

Eric B. Meyertons  
Meyertons, Hood, Kivlin, Kowert & Goetzel  
P.O. Box 398  
Austin, Texas 78767-03986. Total number of applications and patents involved: 17. Total Fee (37 C.F.R. § 3.41): \$40.00

- ☒ Fee Authorization Form Enclosed  
☐ Authorized to be charged to deposit account

8. Deposit Account No.: 50-1505/5259-08400/EBM

(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.*David W. Quimby  
Reg. No. 39,338

  
Signature

February 13, 2003  
Date
Total number of pages including cover sheet, attachments and documents: 4

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PATENT  
REEL: 013786 FRAME: 0320

**ASSIGNMENT**

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, does hereby:

SELL, ASSIGN AND TRANSFER to Spinal Concepts, Inc. (the "Assignee"), having a place of business at 5301 Riata Park Court, Bldg F, Austin, Texas 78727 the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, Serial No. 10/291,223 filed on November 8, 2002, and is entitled **"INSTRUMENTS AND METHODS FOR INSERTING A SPINAL IMPLANT"**, such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT that, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for securing, maintaining and enforcing proper patent protection for such improvements and for vesting title to such improvements in the Assignee;

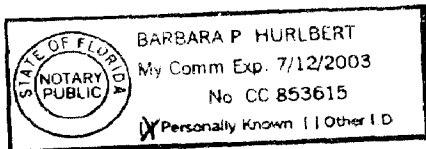
TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature) Javier Garcia  
Name: Javier Garcia

Date: 2-5-03

BEFORE ME, the undersigned authority, on this \_\_\_\_ day of \_\_\_\_\_, 2003, personally appeared Javier Garcia, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]



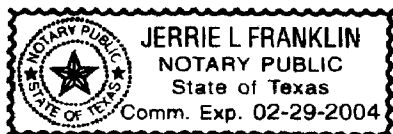
Barbara P. Hurlbert  
Notary or Consular Officer

(Signature) Erik J. Wagner  
Name: Erik J. Wagner

Date: FEB. 3, 2003

BEFORE ME, the undersigned authority, on this 3 day of FEBRUARY, 2003, personally appeared Erik J. Wagner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]



Jerrie L. Franklin  
Notary or Consular Officer

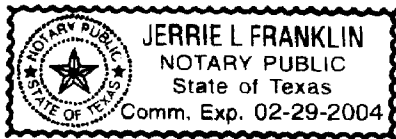
(Signature) David J. Krueger  
Name: David J. Krueger

Date: 02/04/03

BEFORE ME, the undersigned authority, on this 4<sup>th</sup> day of February, 2003, personally appeared David J. Krueger, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Jerrie L. Franklin  
Notary or Consular Officer

[SEAL]



ERIC B. MEYERTONS  
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. BOX 398  
AUSTIN, TX 78767-0398