

Form PTO-1595 (Rev. 03/01) **RECORDATION FORM COVER SHEET PATENTS ONLY** U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

OMB No. 0651-0027 (exp. 5/31/2002) Tab settings ⇌ ⇌ ⇌ ▼ ▼ ▼ ▼ ▼ ▼ ▼ ▼

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

1. Name of conveying party(ies):
 1. Matthew Lyons
 2. Stephen M. Green
 3. Matthew A. Keary
 Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies)
 Name: Blackstone Medical, Inc.
 Internal Address: 90 Brookdale Drive
Springfield, MA 01104, U.S.A.

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other _____
 Execution Date: 9/18/2003, respectively

Street Address: Same
 City: _____ State: _____ Zip: _____
 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) 10/891,635
(62189.010807)
 Additional numbers attached? Yes No


B. Patent No.(s) _____

5. Name and address of party to whom correspondence concerning document should be mailed:
 Name: Barry J. Schindler, Esq.
 Internal Address: GREENBERG TRAURIG LLP
885 Third Avenue
New York, New York 10022
 Street Address: Same
 City: _____ State: _____ Zip: _____

6. Total number of applications and patents involved: 1
 7. Total fee (37 CFR 3.41).....\$ 40.00
 Enclosed
 Authorized to be charged to deposit account

8. Deposit account number:
501561

DO NOT USE THIS SPACE

9. Signature.
Barry J. Schindler  September 18, 2004
 Name of Person Signing Signature Date

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

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

CH \$40.00 501561 10891635

Docket No.: 62189.010801

ASSIGNMENT

WHEREAS, WE, Matthew Lyons; Stephen M. Green and Matthew A. Keary, hereinafter referred to as ASSIGNOR, whose post office address is set forth below, have invented and own a certain invention entitled:

ARTIFICIAL INTERVERTEBRAL DISC

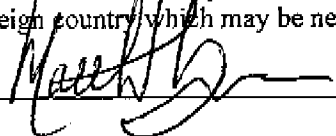
for which a utility patent application was filed with the United States Patent and Trademark Office on April 25, 2003, and assigned Utility Application Serial No. 10/423,414.

WHEREAS, Blackstone Medical, Inc., a corporation organized and existing under the laws of the State of Massachusetts and having its principal place of business at 90 Brookdale Drive, Springfield, MA 01104, U.S.A. (hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefore in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that for good and valuable consideration, I hereby sell, assign and transfer to ASSIGNEE the full and exclusive right, title and interest to said invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, continuation-in-part, divisional, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

WE HEREBY COVENANT that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale; and

WE FURTHER COVENANT that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to us and I will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.

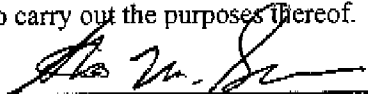
Signature: 

Name Printed: Matthew Lyons

Post Office Address: 16 Herrick Place
Wilberham, MA 01095 U.S.A.

Citizenship: U.S.

Dated: 9/18/03

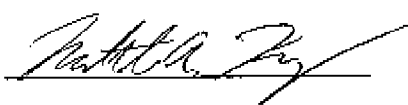
Signature: 

Name Printed: Stephen M. Green

Post Office Address: 1 Drumlins Terrace
Syracuse, NY 13224 U.S.A.

Citizenship: U.S.

Dated: 9/18/03

Signature: 

Name Printed: Matthew A. Keary

Post Office Address: P.O. Box 123
Etna, NY 13062 U.S.A.

Citizenship: U.S.
Dated: 9/18/03

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