

Form PTO-1595 (Rev. 10/02)

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OMB No. 0651-0027 (exp. 6/30/2005)

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):

Warren L. Starkebaum

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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other

Execution Date: 1/12/2004

2. Name and address of receiving party(ies)

Name: MEDTRONIC, INC.

Internal Address: M.S. LC340

Street Address: 710 Medtronic Parkway NE

City: Minneapolis State: MN Zip: 55432

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)

10/768,716

B. Patent No.(s)

Additional numbers attached? Yes No

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

Name: Anna M. Nelson

Internal Address: M.S. LC340

Street Address: 710 Medtronic Parkway NE

City: Minneapolis State: MN Zip: 55432

6. Total number of applications and patents involved:

7. Total fee (37 CFR 3.41).....\$ 40.00

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

13-2546

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9. Signature.

Anna M. Nelson Name of Person Signing

Signature

January 18, 2004 Date

Total number of pages including cover sheet, attachments, and documents: 3

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

CH \$40.00 132546 10768716

Atty Docket No.: P-9902.02

ASSIGNMENT

WHEREAS, I, Warren L. Starkebaum, residing at 4230 Trenton Lane, Plymouth, Minnesota 55441, am the inventor of GASTRIC STIMULATION FOR ALTERED PERCEPTION TO TREAT OBESITY for which I have executed an application for filing in the United States Patent and Trademark Office preparatory to obtaining Letters Patent of the United States on January 30, 2004 which is based upon Provisional Application No. 60/535,143, filed January 7, 2004 therefor; and

WHEREAS, MEDTRONIC, INC., a corporation organized and existing under the laws of the State of Minnesota and having a principal place of business at 710 Medtronic Parkway N.E., Minneapolis, Minnesota 55432-5604, hereinafter referred to as "Corporation," is desirous of acquiring the entire right, title and interest in and to said invention for the United States and for all foreign countries and in and to any and all foreign and domestic Letters Patent which may be granted therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I have sold, assigned, transferred and set over and by these presents do sell, assign, transfer and set over unto Corporation, its successors and assigns, the entire right, title and interest in and to said invention and the entire right, title and interest in and to any and all Letters Patent of the United States and any foreign countries which may be granted therefor including my rights under the International Convention for the Protection of Industrial Property, and in and to any and all extensions, divisions, continuations, continuations-in-part or reissues of said Letters Patent that may be granted, the same to be held and enjoyed by Corporation for its own use and behoof and use and behoof of its successors and assigns to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by me had this assignment and sale not been made;

AND, for the consideration aforesaid, I materially represent to Corporation, its successors and assigns, that at the time of the execution and delivery of these presents, I am the sole lawful owner of the entire right, title and interest in and to the invention, application and Letters Patent above mentioned, and that the same are unencumbered, and that I have good right and lawful authority to sell and convey the same in the manner herein set forth;

AND, for the consideration aforesaid, I hereby individually covenant and agree to and with Corporation, its successors and assigns, that whenever its counsel or the counsel of its successors or assigns, learned in the law, shall advise that an amendment or division, or continuation, or any continuation-in-part thereof, or any other proceeding in connection with the filing or prosecution of said domestic or foreign patent applications, including interference proceedings, is lawful and desirable, or that a reissue of extension of said Letters Patent is lawful and desirable, I, or my executors, administrators or assigns will sign all papers and drawings, take all rightful oaths, and do all acts necessary or required to be done for the procurement of valid Letters Patent for said invention, or for

