

Client Code: AXIAMD.024A

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

To the Director, U.S. Patent and Trademark Office: Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies): (List using letters or numbers for multiple parties)</p> <p>1) Robert L. Assell    2) Stephen D. Ainsworth 3) Andrew H. Cragg    4) Eugene A. Dickhudt</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p><b>Name:</b> TranS1 Inc. <b>Internal Address:</b> <b>Street Address:</b> 1800 Sir Tyler Drive, Suite 101 <b>City:</b> Wilmington <b>State:</b> NC <b>ZIP:</b> 28405</p> <p>Additional name(s) of receiving party(ies) attached? <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment                      <input type="checkbox"/> Security Agreement <input type="checkbox"/> Merger                              <input type="checkbox"/> Change of Name <input type="checkbox"/> Other:</p> <p>Execution Date: (List as in section 1 if multiple signatures)</p> <p>1) 2/3/05; 2) 2/3/05; 3) 2/8/05; 4) 2/8/05</p>	<p>4. US or PCT Application number(s) or US Patent number(s):</p> <p><input checked="" type="checkbox"/> Patent Application No.: 10/972,077 Filing Date: October 22, 2004</p> <p>Additional numbers attached? <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p>
<p>5. Party to whom correspondence concerning document should be mailed:</p> <p><b>Customer No.</b> 20,995 <b>Address:</b> Knobbe, Martens, Olson &amp; Bear, LLP 2040 Main Street, 14<sup>th</sup> Floor Irvine, CA 92614 <b>Return Fax:</b> (949) 760-9502 <b>Attorney's Docket No.:</b> AXIAMD.024A</p>	<p>6. Total number of applications and patents involved: 1</p>
<p>7. Total fee (37 CFR 1.21(h)): \$40</p> <p><input checked="" type="checkbox"/> Authorized to be charged to deposit account</p>	<p>8. Deposit account number: 11-1410</p> <p>Please charge this account for any additional fees which may be required, or credit any overpayment to this account.</p>
<p>9. Statement and signature.</p> <p>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.</p> <p><u>Gerard von Hoffmann</u> Name of Person Signing</p> <p><u><i>Gerard von Hoffmann</i></u> Signature</p> <p><u>3/10/05</u> Date</p> <p>33,043 Registration No.</p> <p>Total number of pages including cover sheet, attachments and document: 4</p>	

CH \$40.00 111410 10972077

Documents transmitted via Facsimile to be recorded with required cover sheet information to:

**Mail Stop Assignment Recordation Services**  
Director, U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Facsimile Number: (703) 306-5995

Application No.: 10/972,077  
Filing Date: October 22, 2004

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ASSIGNMENT

WHEREAS, We, Robert L. Assell, a United States citizen, residing at 6001 Wellesley Place, Wilmington, NC 28409, Steven D. Ainsworth, a United States citizen, residing at 5309 Curlew Drive, Wilmington, NC 28409, Andrew L. Cragg, a United States citizen, residing at 5024 Bruce Place, Edina MN 55424, Eugene A. Dickhudt, a United States citizen, residing at 801 Continental Dr., St. Paul, MN 55112, have invented certain new and useful improvements in a METHOD AND APPARATUS FOR MANIPULATING MATERIAL IN THE SPINE for which we have filed an application for Letters Patent in the United States, Application No. 10/972,077, filed on October 22, 2004;

AND WHEREAS, Trans1Inc. (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 1800 Sir Tyler Drive, Suite 101, Wilmington, NC 28405, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE DO HEREBY sell, assign, transfer, and convey to ASSIGNEE, his successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of the said Letters Patent before or after issuance.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 3 day of February, 2005

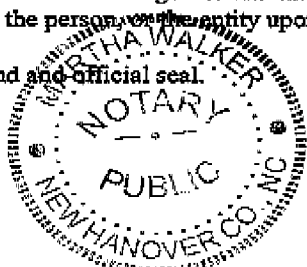
Robert L. Assell  
Robert L. Assell

STATE OF North Carolina  
COUNTY OF New Hanover } ss.

On Feb 3, 2005, before me, Martha Walker, personally appeared Robert L. Assell personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, on the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



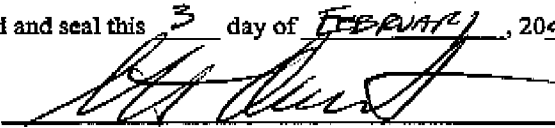
Martha Walker  
Notary Signature

My Commission expires May 11, 2008

Application No.: 10/972,077  
Filing Date: October 22, 2004

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Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 3 day of FEBRUARY, 2005

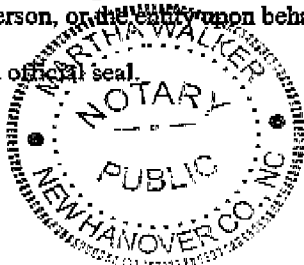
  
\_\_\_\_\_  
Steven D. Ainsworth  
*Stephen*


STATE OF *North Carolina* }  
COUNTY OF *New Hanover* } ss.

On Feb. 3, 2005, before me, Martha Walker, personally appeared Steven D. Ainsworth personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

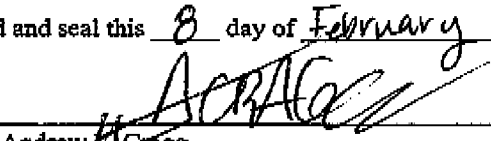
WITNESS my hand and official seal.

[SEAL]



  
\_\_\_\_\_  
Notary Signature  
*My commission expires May 11, 2008*

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 8 day of February, 2005

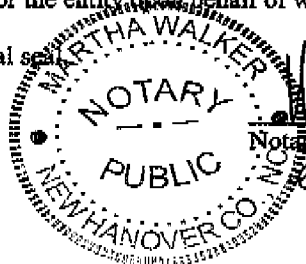
  
\_\_\_\_\_  
Andrew L. Cragg


STATE OF *North Carolina* }  
COUNTY OF *New Hanover* } ss.

On Feb 8, 2005, before me, Martha Walker, personally appeared Andrew L. Cragg personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



  
\_\_\_\_\_  
Notary Signature  
*expiration May 11, 2008*

Application No.: 10/972,077  
Filing Date: October 22, 2004

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Client Code: AXIAMD.024A  
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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 8 day of Feb, 2005

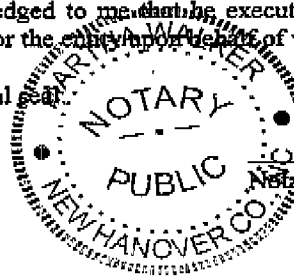
Eugene A. Dickhudt  
Eugene A. Dickhudt

STATE OF North Carolina }  
COUNTY OF New Hanover } ss.

On Feb 8, 2005, before me, Martha Walker, personally appeared Eugene A. Dickhudt personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Martha Walker  
Notary Signature  
expiration May 11, 2009