

FORM PTO-1595
(Rev. 10/02)

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

RECORD

12-23-2004

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



To the Hon. Commissioner of Patents & Trademarks

102909850

Original documents or copy thereof.

1. Name of conveying party(ies):

Daniel H. Kim, Thomas A. Afzal, Michael L. Reo, Uriel
Hiram Chee, In Haeng Cho, Kunwoo Lee, Curtis W. Frank
Sung Kyu Ha

2. Name and address of receiving party(ies)

Name Spinal Kinetics, Inc.

Internal Address: _____

Street Address: 200 Chesapeake Drive

City: Redwood City State CA ZIP 94063

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

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other _____

Execution Date: October 7, 2004

Additional name(s) and 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)
10/903,276

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name Orrick, Herrington & Sutcliffe LLP

Internal Address: _____

Street Address: 4 Park Plaza, Suite 1600

City: Irvine State CA ZIP 92614-2558

Attn: _____

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:

15-0665

(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.

Charles C. Fowler

Name of Person Signing

Signature

December 14, 2004

Date

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

Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

12/22/2004 DBYRNE 00000175 150665 10903276

01 FC:8021

40.00 DA

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, Daniel H. Kim, a citizen of the United States of America, Thomas A. Afzal, a citizen of the United States of America, Michael L. Reo, a citizen of the United States of America, Uriel Hiram Chee, a citizen of the United States of America, In Haeng Cho, Ph.D., a citizen of the Republic of Korea, Kunwoo Lee, a citizen of the Republic of Korea, Curtis W. Frank, Ph.D., a citizen of the United States of America, and Sung Kyu Ha, a citizen of the Republic of Korea, (hereinafter referred to as "ASSIGNORS"), have invented a certain invention entitled PROSTHETIC INTERVERTEBRAL DISC AND METHODS FOR USING SAME for which application for Letters Patent of the United States of America has been executed on July 30, 2004; and

WHEREAS, Spinal Kinetics, Inc., a corporation organized and existing under and by virtue of the laws of the Delaware and having its place of business at 200 Chesapeake Drive, Redwood City, California 94063 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

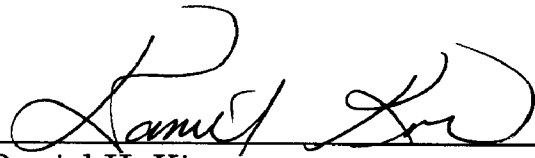
NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the United States Commissioner of Patents and Trademarks and any officials of foreign countries whose duty it is to issue patents or any legal equivalent thereof to issue said patents

and equivalents to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

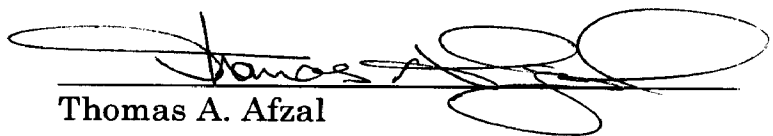
ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS 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 as may be known and accessible to ASSIGNORS and that ASSIGNOR 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 in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.


9/30/04
Dated


Daniel H. Kim


9/20/2004
Dated


Thomas A. Afzal

9.20.04
Dated


Michael L. Reo

9/21/04
Dated


Uriel Hiram Chee

and equivalents to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS 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 as may be known and accessible to ASSIGNORS and that ASSIGNOR 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 in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

Dated

Daniel H. Kim

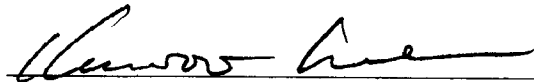
Dated

Thomas A. Afzal

Dated

Michael L. Reo

October 7, 2004
Dated



Kunwoo Lee, Ph.D.

Dated


Uriel Hiram Chee

Dated

Curtis W. Frank, Ph.D.

10/7/04

Dated

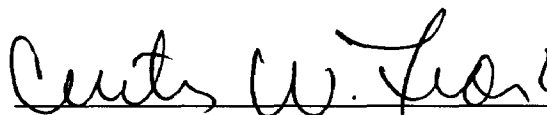

In Haeng Cho, Ph.D.

Sept. 30, 2004
Dated


Sung Kyu Ha, Ph.D.

9/27/04

Dated



Curtis W. Frank, Ph.D.

Dated

In Haeng Cho, Ph.D.

Dated

Kunwoo Lee, Ph.D.

Dated

Sung Kyu Ha, Ph.D.