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RE

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1. Name of conveying party(ies)/Execution Date(s):
 Bret M. Berry

Execution Date: March 17, 2003

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

2. Name and address of receiving party(ies):
 Name: SDGI Holdings, Inc.
 Internal Address: _____
 Street Address: 300 Delaware Ave., Suite 508
 City: Wilmington State: DE Zip: 19801
 Country: _____

Additional name(s) & address(es) attached? Yes No

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3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
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 Other:

4. Application or Patent number(s): This document is being filed together with a new application.
 A. Patent Application No.(s)
 B. Patent No.(s)

Additional number(s) attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
 Name: Christopher A. Brown, Reg. No. 41,642

Woodard, Emhardt, Moriarty, McNett & Henry LLP
 111 Monument Circle, Suite 3700
 Indianapolis, IN 46204

Phone: (317) 634-3456 Fax: (317) 637-7561

6. Total number of applications and patents involved:

7. Total fee (37 CFR 1.21(h) and 3.41) \$ 40.00

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 None required (government interest not affecting title.)

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4/15/05
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type) Grace E. Kellermaier
 Signature Grace E Kellermaier Date 4/15/05

ASSIGNMENT

WHEREAS, Bret M. Berry of 8423 Creek Front Drive, Cordova, TN 38016; and hereinafter referred to as Assignor, has made a new and useful invention in **HEIGHT ADJUSTABLE VERTEBRAL BODY AND DISC SPACE REPLACEMENT DEVICES** for which Assignor has made or will make application for Letters Patent of the United States; and

WHEREAS, SDGI Holdings, Inc., hereinafter referred to as Assignee, a corporation of the State of Delaware having a principal place of business at 300 Delaware Avenue, Suite 508, Wilmington, Delaware 19801, desires to acquire all of the entire right, title, and interest in, to and under said Invention disclosed, described and/or claimed or intended so to be in said application, and in, to and under said application, and in, to and under any and all Letters Patent, United States and foreign, which may be obtained therefor and thereon;

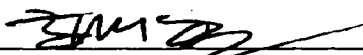
NOW, THEREFORE, To All Whom It May Concern, be it known that for and in consideration of the sum of One Dollar (\$1.00) and other good, valuable and sufficient considerations to Assignor in hand paid, the receipt of which is hereby acknowledged, Assignor has sold, assigned and transferred, and by these presents do sell, assign and transfer unto Assignee, all of the entire right, title and interest in, to and under said invention disclosed, described and claimed or intended so to be in said application, and in, to and under said application for United States Letters Patent and any and all other applications thereon and arising therefrom, including any and all divisions, continuations, and continuation-in-part, thereof, and any and all patents to be issued and obtained therefor and thereon, United States and foreign, including all reissues and extensions thereof.

Assignor hereby authorizes and request the firm of Woodard, Emhardt, Naughton, Moriarty & McNett of Bank One Center/Tower, 111 Monument Circle, Suite 3700, Indianapolis, IN 46204-5137 to insert here in parentheses (Serial No. *10/393,464* Filed *March 20, 2003*) the date and serial number of said application when officially

known, and Assignor hereby authorizes and request the Honorable Commissioner of Patents to issue said Letters Patent to Assignee, its assigns and legal representatives.

Assignor agrees to sign and execute any and all other papers necessary or desirable for the procurement of Letters Patent on said Invention in this and all foreign countries for the use of Assignee.

WITNESS Assignor's hand this 17th day of March, 2003.



Bret M. Berry