

04-03-2006

Form PTO-1595

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

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

103210402

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies):

Charles R. Gordon
Corey T. Harbold

Execution Date: November 10, 2005

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

3. Nature of conveyance

- ☒ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☐ Government Interest Assignment
- ☐ Executive Order 9424, Confirmatory License
- ☐ Other:

4. Application number(s) or patent numbers:

A. Patent Application No.(s):

11/134,082 filed May 20, 2005

B. Patent No.(s):

☐ This document is being filed together with a new applicationAdditional numbers attached? ☐ Yes ☒ No

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

Customer No.: 35690
Eric B. Meyertons
Meyertons, Hood, Kivlin, Kowert & Goetzel
P.O. Box 398
Austin, Texas 78767-03986. Total number of applications and patents involved: 17. Total Fee (37 C.F.R. 1.21(h) & 3.41): \$40.00

- ☒ Fee Authorization Form Enclosed
- ☐ Authorized to be charged to deposit account
- ☐ None required (government interest not affecting title)

8. Deposit Account No.: 50-1505/5943-00607/EBM

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.*Eric B. Meyertons
Reg. No. 34,876

Signature

Date

Total number of pages including cover sheet, attachments and documents: 4OFFICE OF PUBLIC RECORDS
2006 MAR 30 PM 3:51
FINANCE SECTION

11134082

000000011505

40.00 DA

03/31/2006 NJM/1

01 FC:8021

PATENT

REEL: 017728 FRAME: 0790

03-30-06

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, does hereby:

SELL, ASSIGN AND TRANSFER to Flexuspine, Inc. (the "Assignee"), having a place of business at 120 W. Fifth Street, Suite 200, Tyler, Texas 75701 the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, Serial No. 11/134,082 filed on May 20, 2005, and is entitled **"EXPANDABLE INTERVERTEBRAL IMPLANT WITH SPACER"**, such application and all nonprovisional, divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

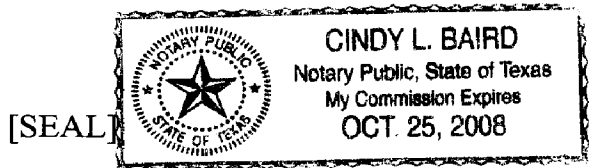
COVENANT that, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for securing, maintaining and enforcing proper patent protection for such improvements and for vesting title to such improvements in the Assignee;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature) Charles R. Gordon
Name: Charles R. Gordon

Date: 11/10/05

BEFORE ME, the undersigned authority, on this 11th day of November, 2005, personally appeared Charles R. Gordon, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.



Cindy L. Baird
Notary or Consular Officer

(Signature) _____
Name: Corey T. Harbold

Date: _____

BEFORE ME, the undersigned authority, on this ____ day of _____, 2005, personally appeared Corey T. Harbold, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL] _____
Notary or Consular Officer

ERIC B. MEYERTONS
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. BOX 398
AUSTIN, TX 78767-0398

(Signature) _____

Date: _____

Name: Charles R. Gordon

BEFORE ME, the undersigned authority, on this ____ day of _____, 2005, personally appeared Charles R. Gordon, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Notary or Consular Officer

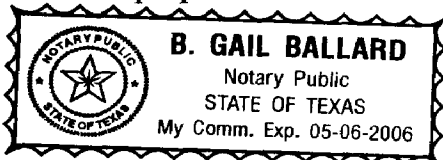
[SEAL]

(Signature) _____

Name: Corey T. Harbold

Date: 8-16-05

BEFORE ME, the undersigned authority, on this 16th day of August, 2005, personally appeared Corey T. Harbold, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.



B. Gail Ballard
Notary or Consular Officer

[SEAL]

ERIC B. MEYERTONS
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. BOX 398
AUSTIN, TX 78767-0398