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tent and Trademark Office

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):

Southwest Research Institute

Execution Date: June 9, 2006

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

2. Name and address of receiving party(ies):

Name: Flexuspine, Inc.

Street Address: 120 W. Fifth Street, Suite 200

City: Tyler State: TX ZIP: 75701

Additional name(s) and addresses 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: ☐ This document is being filed together with a new application

A. Patent Application No.(s):

11/371,182 filed March 8, 2006

B. Patent No.(s):

Additional 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 78767-0398

6. Total number of applications and patents involved: 1

7. 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.: 50-1505/5943-00901/EBM

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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

6/19/06

Date

06/29/2006 DBYRNE 00000320 501505 11371182

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Total number of pages including cover sheet, attachments and documents: 4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of	§	
Charles R. Gordon, et al.	§	
	§	
Serial No.: 11/371,182	§	**Action:** Assignment
	§	
Filed: March 8, 2006	§	

Title: Artificial Functional Spinal Unit System and Method for Use

TO: Commissioner of Patents
and Trademarks
Washington, DC 20231

WHEREAS, SOUTHWEST RESEARCH INSTITUTE (hereinafter referred to as "ASSIGNOR"), a nonprofit corporation organized and existing under the laws of the State of Texas, having its principal office at 6220 Culebra Road, San Antonio, Bexar County, Texas 78238-5166, is the owner by assignment from HEATHER S. HANSON, of all her right, title and interest in a patent application for *ARTIFICIAL FUNCTIONAL SPINAL UNIT SYSTEM AND METHOD FOR USE*, which has been executed by her on June 6, 2006; and

WHEREAS, FLEXUSPINE, INC. (hereinafter referred to as "ASSIGNEE"), a corporation organized under and by virtue of the laws of the State of Delaware, having a place of business at 120 West Fifth Street, Suite 200, Tyler, Texas 75701 is desirous of obtaining ASSIGNOR'S entire right, title and interest in and to said patent application and the invention therein described and claimed and any Letters Patent that may be issued upon said patent application or for the invention therein contained.

NOW, THEREFORE, in consideration of the sum of One Dollar ($1.00), lawful money of the United States, and other valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR has sold, assigned and transferred and does hereby sell, assign and transfer unto ASSIGNEE, its successors and assigns, its entire right, title and interest in and to said patent application and the invention therein contained, including, without limitation: (1) the application and all divisionals, continuations, continuations-in-part and substitutions thereof; (2) the right to apply for any Letters Patent in the United States and in all foreign countries on said invention; (3) the right

to claim for such foreign applications the priority date of said United States patent application, including the right to priority under the International Convention of 1883 and any later modifications thereof; and (4) all rights in and to any Letters Patent that may issue thereon or therefor, in the United States or foreign countries, including all reissues, extensions, renewals, divisions and continuations, and continuations-in-part thereof.

ASSIGNOR requests that any and all such Letters Patent for said invention be issued to ASSIGNEE, its successors, assigns, and legal representatives, or to such nominees as it may designate.

ASSIGNOR agrees that it will, at any time upon request of ASSIGNEE, communicate to ASSIGNEE any facts known to it relating to the said invention and the history thereof, and will without cost or charge to ASSIGNOR, but at the expense of ASSIGNEE, execute all papers, including depositions, answers to interrogatories and other like documents and papers which may be necessary, desirable or convenient for securing, maintaining and enforcing patents for said invention in any and all countries and for vesting title thereto in ASSIGNEE or its nominees, and further, ASSIGNOR agrees to use its best efforts to cause its employees and former employees to do likewise, if such is requested by ASSIGNEE.

ASSIGNOR further covenants with ASSIGNEE that the right and property herein conveyed are free and clear of any encumbrance, and that ASSIGNOR has the full right to convey the same as herein expressed.

IN WITNESS WHEREOF, I, Walter D. Downing, have hereunto set my hand and seal on behalf of said corporation this 9TH day of June, 2006.

SOUTHWEST RESEARCH INSTITUTE

(seal)

By: Walter D. Downing

Walter D. Downing

Title: Executive Vice President

STATE OF TEXAS §
§
COUNTY OF BEXAR §

On this 9th day of June, 2006, before me, Shirley E. McDonald, a Notary Public for the State of Texas, personally appeared Walter D. Downing, known to me and being duly sworn by me, did depose and say that he resides at 6119 Willowridge, San Antonio, Bexar County, Texas 78249-2462; that he is Executive Vice President of Southwest Research Institute, the corporation that executed the above-instrument; that he knows the seal of said corporation; that the seal affixed to said instrument was said corporate seal; that it was so affixed by authority of the Board of Directors of said corporation; and that he signed his name thereto by like authority.

GIVEN under my hand and seal of office this 9th day of June, 2006.

SHIRLEY E. McDONALD
NOTARY PUBLIC
STATE OF TEXAS
My Comm. Exp. 04-05-2009

Shirley E McDonald
Notary Public, State of Texas