

10-19-2006

Form PTO-1595  
OMB No. 0651-0027 (exp. 6/30/2005)U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

103324034

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  
Erik J. Wagner

Execution Date: June 9, 2006

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):

11/371,188 filed March 8, 2006

B. Patent No.(s):

Additional numbers 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: 75701Additional name(s) and addresses 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) &amp; 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.: 50-1505/5943-00900/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: 4

10/18/2006 BBYRNE 00000007 501505 11371188

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(40.00 DA)

PATENT  
REEL: 018416 FRAME: 0751

**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. 11/371,188 filed on March 8, 2006, and is entitled "**ARTIFICIAL FUNCTIONAL SPINAL UNIT SYSTEM AND METHOD FOR USE**", 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;

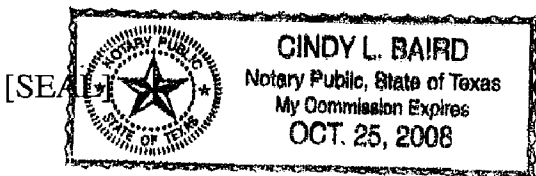
TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature) Ce  
Name: Charles R. Gordon

Date: 5/24/2006

BEFORE ME, the undersigned authority, on this 24<sup>th</sup> day of May, 2006, 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

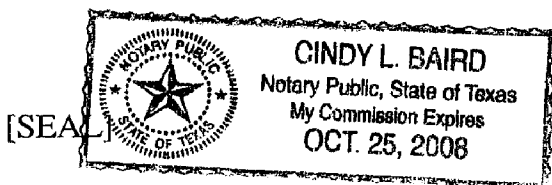


(Signature) Corey T Harbold  
Name: Corey T. Harbold

Date: 5/26/2006

BEFORE ME, the undersigned authority, on this 26<sup>th</sup> day of May, 2006, 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.

Cindy L. Baird  
Notary or Consular Officer



(Signature) \_\_\_\_\_

Date: \_\_\_\_\_

Name: Heather S. Hanson

BEFORE ME, the undersigned authority, on this \_\_\_\_ day of \_\_\_\_\_, 2006, personally appeared Heather S. Hanson, 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

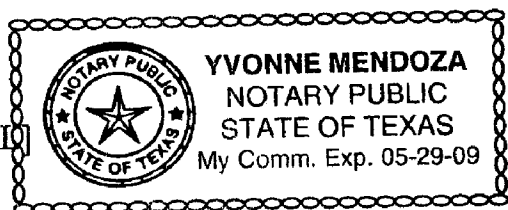
[SEAL]

(Signature) *Erik J. Wagner*  
Name: Erik J. Wagner

Date: June 9, 2006

BEFORE ME, the undersigned authority, on this 9th day of JUNE, 2006, personally appeared Erik J. Wagner, 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]



*Yvonne Mendoza*  
Notary or Consular Officer

ERIC B. MEYERTONS  
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
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