

## PATENT ASSIGNMENT

Electronic Version v1.1

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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
David Louis Kirschman	09/18/2004
RECEIVING PARTY DATA	
Name:	X-spine Systems, Inc.
Street Address:	7026 Corporate Way
Internal Address:	Suite 212
City:	Centerville
State/Country:	OHIO
Postal Code:	45459
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	11624341
CORRESPONDENCE DATA	
Fax Number:	(937)298-7418
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
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Correspondent Name:	Matthew R. Jenkins
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Address Line 4:	Dayton, OHIO 45419-1575
ATTORNEY DOCKET NUMBER:	KRS 001 P2 DI
NAME OF SUBMITTER:	Matthew R. Jenkins
Total Attachments: 1 source=KRS001P2DI_Assignment#page1.tif	

OP \$40.00 11624341

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PATENT  
REEL: 019157 FRAME: 0845

**ASSIGNMENT OF UNITED STATES PATENT APPLICATIONS**

WHEREAS, David Louis Kirschman, a citizen of the United of the United States of America, residing at 104 Rubicon Road, Montgomery County, Dayton, Ohio 45409 (hereinafter the Assignor), is the owner of the entire right, title and interest in and to the following applications for United States Letters Patents and the inventions therein contained:

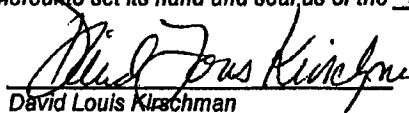
<u>Serial No</u>	<u>Filed</u>	<u>Title</u>	<u>Docket</u>
10/675,361	September 30, 2003	SPINAL FUSION SYSTEM AND METHOD FOR FUSING SPINAL BONES	KRS 001 P2
10/821,823	April 4, 2004	DISC AUGMENTATION SYSTEM AND METHOD	KRS 002 P2
10/858,629	June 2, 2004	SPINAL FUSION METHOD AND SYSTEM FOR FUSING SPINAL BONES	KRS 003 P2

AND, WHEREAS, X-spine Systems, Inc., a corporation of the State of Ohio, having a principal place of business at 7026 Corporate Way, Suite 212, Centerville, Ohio 45459, (hereinafter the Assignee), is desirous of acquiring the entire right, title and interest in and to said applications and the inventions therein disclosed and any letters patents that may issue thereon, and is desirous of acquiring the entire right, title and interest in and to said United States Applications and the inventions therein contained;

AND, WHEREAS, it is the intent of the Assignor to assign all rights, including but not limited to all substantive rights, to the above referenced application(s) and patent(s) to the Assignee;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt of which is hereby acknowledged, the Assignor hereby sells, assigns and transfers to the Assignee, its successors and assigns, the entire right, title and interest in and to the aforementioned United States applications for letters patents and the inventions therein contained, including any divisions, continuations, extensions, or reissues thereof, together with all rights of recovery for past, present and future infringements thereof; and said Assignor hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any reissues or extensions thereof to said Assignee, its successors and assigns, the same to be held and enjoyed by said Assignee, its successors and assigns, to the full end of the term for which Letters Patents granted and as fully and entirely as the same would have been enjoyed by the said Assignor had this sale, assignment and transfer not been made; and we hereby authorize said Assignee, its successors and assigns, to file in its own name applications for patent in foreign countries in connection with the inventions hereby transferred, under the International Convention claiming the priority of said United States applications or otherwise, and to secure in its own name the patent or patents issued thereon; and we hereby agree that, upon request, we will sign all papers, and make all rightful oaths, and do all acts which said Assignee, its successors or assigns, may consider necessary in connection with the said United States applications, and in connection with any other United States or foreign applications that may be filed in connection with said inventions, and with any improvements thereon, and in connection with any patents issued or reissued thereon.

IN WITNESS WHEREOF, the Assignor has hereunto set its hand and seal as of the 18 day of September 2004.

  
David Louis Kirschman

State of Ohio :  
County of Montgomery : ss

Sworn to before me, a Notary Public in and for the above County and State, this \_\_\_\_\_ day of September 2004.

\_\_\_\_\_  
Notary Public