

PATENT ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

| SUBMISSION TYPE: | NEW ASSIGNMENT | | | | | | | | |
|---|--------------------------|---------------|----------------|---------------------|------------|--------------------|------------|------------------|------------|
| NATURE OF CONVEYANCE: | ASSIGNMENT | | | | | | | | |
| CONVEYING PARTY DATA | | | | | | | | | |
| <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:70%;">Name</th> <th>Execution Date</th> </tr> </thead> <tbody> <tr> <td>Bryan P. Byerman</td> <td>07/22/2007</td> </tr> <tr> <td>Steven E. Maschino</td> <td>07/27/2007</td> </tr> <tr> <td>Timothy L. Scott</td> <td>07/27/2007</td> </tr> </tbody> </table> | | Name | Execution Date | Bryan P. Byerman | 07/22/2007 | Steven E. Maschino | 07/27/2007 | Timothy L. Scott | 07/27/2007 |
| Name | Execution Date | | | | | | | | |
| Bryan P. Byerman | 07/22/2007 | | | | | | | | |
| Steven E. Maschino | 07/27/2007 | | | | | | | | |
| Timothy L. Scott | 07/27/2007 | | | | | | | | |
| RECEIVING PARTY DATA | | | | | | | | | |
| Name: | Cyberonics Inc. | | | | | | | | |
| Street Address: | 100 Cyberonics Blvd. | | | | | | | | |
| City: | Houston | | | | | | | | |
| State/Country: | TEXAS | | | | | | | | |
| Postal Code: | 77058 | | | | | | | | |
| PROPERTY NUMBERS Total: 1 | | | | | | | | | |
| <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">Property Type</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>Application Number:</td> <td>11829772</td> </tr> </tbody> </table> | | Property Type | Number | Application Number: | 11829772 | | | | |
| Property Type | Number | | | | | | | | |
| Application Number: | 11829772 | | | | | | | | |
| CORRESPONDENCE DATA | | | | | | | | | |
| Fax Number: | (713)934-4096 | | | | | | | | |
| <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i> | | | | | | | | | |
| Phone: | (713) 934-4097 | | | | | | | | |
| Email: | nnolan@wmalaw.com | | | | | | | | |
| Correspondent Name: | Nancy Nolan | | | | | | | | |
| Address Line 1: | 10333 Richmond Ave. | | | | | | | | |
| Address Line 2: | Suite 1100 | | | | | | | | |
| Address Line 4: | HOUSTON, TEXAS 77042 | | | | | | | | |
| ATTORNEY DOCKET NUMBER: | 1000.165CIP(2113.004800) | | | | | | | | |
| NAME OF SUBMITTER: | Jaison C. John | | | | | | | | |

Total Attachments: 3
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**PATENT
 REEL: 019618 FRAME: 0981**

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ASSIGNMENT

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

SELL, ASSIGN AND TRANSFER to **CYBERONICS INC.** (the "Assignee"), a corporation of Delaware, having a place of business at **100 Cyberonics Blvd., Houston, Texas 77058**, 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, which has been executed by the undersigned concurrently herewith and is entitled **NON-SURGICAL DEVICE AND METHODS FOR TRANS-ESOPHAGEAL VAGUS NERVE STIMULATION**, such application and all 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, 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 vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

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: *Bryan P. Byerman* Date: 27 Jul 07
Bryan P. Byerman

STATE OF TEXAS §
§
COUNTY OF Harris §

BEFORE ME, the undersigned authority, on this 27th day of July, 2007, personally appeared Bryan P. Byerman, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.



Dianne W. Mangrum
Notary or Consular Officer

Signature: *Steven E. Maschino* Date: 7-27-07
Steven E. Maschino

STATE OF TEXAS §
§
COUNTY OF Harris §

BEFORE ME, the undersigned authority, on this 27th day of July, 2007, personally appeared Steven E. Maschino, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.



Dianne W. Mangrum
Notary or Consular Officer

Signature: Timothy L. Scott Date: 07/27/07
Timothy L. Scott

STATE OF TEXAS §
 §
COUNTY OF Harris §

BEFORE ME, the undersigned authority, on this 27th day of July, 2007, personally appeared Timothy L. Scott, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.



Dianne W. Mangrum
Notary or Consular Officer