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07-30-2007



Form PTO-1595
6-93
OMB No. 0651-0011 (exp. 4/94)



U.S. Department of Commerce
Patent and Trademark Office

103431293

To the Honorable Commissioner of Patents,

original documents or copy thereof.

7-25-07

1. Name of conveying party(ies):

Peter Barreiro
Dennis Ty
Michael E. Landry

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

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

Name: Spine Wave, Inc.

Street Address: 2 Enterprise Drive

City: Shelton, CT 06484

Country: United States of America

Additional name(s) & address(es) attached? Yes No

3. Nature of Conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date(s): June, 12, 2007, June 12, 2007, and July 2, 2007

4. Application number(s) or patent number(s): 11/756,050

If this document is being filed together with a new application, the execution date of the application is

A. Patent Application No(s)

B. Patent No(s)

Additional numbers attached? Yes No

Title: **Expandable Interbody Fusion Device**

Docket No. **1842-0076**

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

Name: Michael D. Beck

Internal Address: Maginot, Moore & Beck, LLP

Street Address: Chase Tower

111 Monument Circle
Suite 3250

City: Indianapolis State: IN Zip: 46204-5109

6. Total number of applications and patents involved

1

7. Total fee (37 CFR 3.41): \$ 40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit Account number: 13-0014

(Attach duplicate copy of this page if paying by deposit account)

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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.

Michael D. Beck
Name of Person Signing
Registration No. 32.722

Michael D. Beck
Signature

July 23, 2007
Date

Total number of pages including cover sheet, attachments and document 3

Mail documents to be recorded with required cover sheet information to:

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ASSIGNMENT OF UNITED STATES PATENT APPLICATION

WHEREAS, I, Peter Barreiro, of West Haven, CT; and Dennis Ty of Milford, CT; and Michael E. Landry, of Austin, TX have invented certain new and useful improvements in **EXPANDABLE INTERBODY FUSION DEVICE**, Docket No. 1842-0076, for which I have executed an application for Letters Patent of the United States on May 31, 2007, with U.S. Serial No. 11/756,050.

WHEREAS, Spine Wave, Inc. a corporation of the State of Delaware, having its principal place of business in Shelton, CT is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefore in the United States and any and all foreign countries;

NOW, THEREFORE, be it known that in consideration of the sum of One Dollar (\$1.00) and of other valuable consideration, the receipt of which is hereby acknowledged, I do hereby sell, assign and transfer unto said Spine Wave, Inc. its successors and assigns, the entire right, title and interest in and to the invention and improvements in any form or embodiment thereof, disclosed and claimed in said application, or which are disclosed and may be claimed; also the entire right, title and interest in and to any Letters Patent to be granted in the United States and its territorial possessions and in any and all foreign countries upon said invention in any form or upon any such improvements thereon, and in and to any and all divisions, reissues, continuations and extensions thereof; and I hereby authorize and request the Commissioner of Patents and Trademarks to issue any Letters Patent on said application to the said Spine Wave, Inc., its successors and assigns.

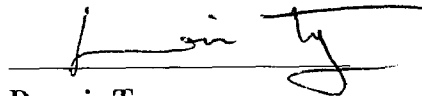
Further, I agree that I will communicate to said Spine Wave, Inc., or its representatives, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitution, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to Spine Wave, Inc, make all rightful oaths and generally to do everything possible to aid said Spine Wave, Inc. its successors and assigns, to obtain and enforce protection for said invention in the United States and in any and all foreign countries.

Signed at Shelton, this 12 day of June, 2007.



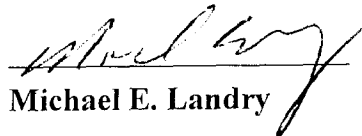
Peter Barreiro

Signed at Shelton, CT, this 12 day of June, 2007.



Dennis Ty

Signed at Austin, TX, this 2 day of July, 2007.



Michael E. Landry