

Form PTO-1595 (Rev. 03/05)
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APO-014

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)

Vladimir Mitelberg Brett E. Naglreiter
Donald K. Jones Dennis L. McWilliams

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

2. Name and address of receiving party(ies)

Name: Apollo Endosurgery, Inc.

Internal Address: _____

Street Address: 7000 Bee Cave Road

Suite 250

City: Austin

State: TX

Country: _____ Zip: 78746

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

3. Nature of conveyance/Execution Date(s):

Execution Date(s) September 19, 2007

- Assignment Merger
- Security Agreement Change of Name
- Joint Research Agreement
- Government Interest Assignment
- Executive Order 9424, Confirmatory License
- Other _____

4. Application or patent number(s):

A. Patent Application No.(s)
11/776,062

This document is being filed together with a new application.
B. Patent No.(s)

Additional numbers attached? Yes No

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

Name: Gordon & Jacobson, P.C.

Internal Address: _____

Street Address: 60 Long Ridge Road

Suite 407

City: Stamford

State: CT Zip: 06902

Phone Number: 203 323-1800

Fax Number: 203 323-1803

Email Address: _____

6. Total number of applications and patents involved: one

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed
- None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 07-1732

Authorized User Name David S. Jacobson

9. Signature:



Signature

9/27/07
Date

David S. Jacobson
Name of Person Signing

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

3

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

CH \$40.00 07.1732 11776062

APO-014

ASSIGNMENT

WHEREAS, we, **Vladimir Mittelberg, Donald K. Jones, Brett E. Naglreiter, and Dennis L. McWilliams**, hereinafter referred to as the "Inventors", citizens of the United States, whose post office addresses are respectively,

- 1) 12616 Scofield Farms Drive, Austin, TX 78727,
- 2) 705 N. Canyonwood Drive, Dripping Springs, TX 78620,
- 3) 201 Lavaca Street, Apt. 341, Austin, TX 78701, and
- 4) 4608 Via Media, Austin, TX 78746

have invented certain new and useful improvements in

METHODS AND SYSTEMS FOR SUBMUCOSAL IMPLANTATION OF A DEVICE FOR DIAGNOSIS AND TREATMENT OF A BODY

as described and set forth in an application for Letters Patent of the United States of America, filed by us on the 11th day of July, 2007, and bearing serial no. 11/776.062 (Attorney Docket No. APO-014);

AND WHEREAS, **Apollo Endosurgery, Inc.**, hereinafter referred to as the "said COMPANY", a company existing under the laws of Delaware and having a place of business at 7000 Bee Cave Road, Suite 250, Austin, TX 78746, is desirous of acquiring or confirming its acquisition of the entire right, title and interest in and to said invention, inventions or improvements, and in and to said application, and in and to any and all patents, both of the United States and of all foreign countries, that may be obtained therefor;

NOW, THEREFORE TO ALL WHOM IT MAY CONCERN, BE IT KNOWN, that we, the Inventors, for good and valuable considerations, the receipt and sufficiency of which we hereby acknowledge, have sold, assigned, transferred and conveyed, and by this assignment do sell, assign, transfer and convey, unto said COMPANY, its successors and assigns, the entire right, title and interest throughout the world, in and to our invention, inventions or improvements described or set forth in said application, in any form or embodiment thereof, and in and to said application, and in and to any applications filed in any foreign country based thereon, including the right to file foreign applications under the provisions of any convention or treaty; and in and to any confirmation, divisional, continuation, continuation-in-part, or substitute application which may be filed on said invention, inventions or improvements in the United States or in any foreign country; and in and to any and all patents, certificates, utility models, reissues, extensions, additions or confirmations thereof which may be granted in the United States or in any foreign country upon said invention, inventions or improvements, to have and to hold the same to the full end of the term or terms for which any and all such United States and foreign patents and grants may be issued on said invention, inventions or improvements.

AND we do hereby authorize and request the issuing authority to issue any and all of said United States and foreign patents on said application or applications to said COMPANY, its successors and assigns, as the assignees of the entire right, title and interest in and to the same, for the sole use and benefit of said COMPANY, its successors and assigns.

AND we do hereby covenant and warrant that we have full right to convey the entire right, title and interest herein assigned free and clear of all licenses, encumbrances and liens whatsoever, and that we have not executed and will not execute any instruments in conflict herewith.

APO-014

AND we, for the conditions aforesaid, do hereby covenant and agree to and with the said COMPANY, its successors and assigns, that we, our executors, administrators, or other personal representatives, shall and will do all lawful acts and things, make all rightful oaths, and make, execute, and deliver any and all other instruments in writing, and any and all further applications, papers, powers, affidavits, assignments, disclaimers and other documents, which in the opinion of counsel for said COMPANY, its successors and assigns, may be required or necessary in this or in any foreign country more effectually to secure to and vest in said COMPANY, its successors and assigns, the entire right, title and interest in and to said invention, inventions, or improvements, application or applications, patents, rights, titles, benefits, privileges and advantages hereby sold, assigned, confirmed, transferred and conveyed.

The undersigned hereby grant(s) David P. Gordon, Esq., David S. Jacobson, Esq., and Jay P. Sbrollini, Esq. the power to insert on this Assignment any further identification which may be necessary in order to comply with the rules of the U.S. Patent and Trademark Office for the recordation of this document and to correct any errors or defects herein.

IN WITNESS WHEREOF, we, Vladimir Mitelberg, Donald K. Jones, Brett E. Nagreiter, and Dennis L. McWilliams, have hereunto set our hands and seals this 19 day of September, 2007.

V. Mitelberg
Vladimir Mitelberg

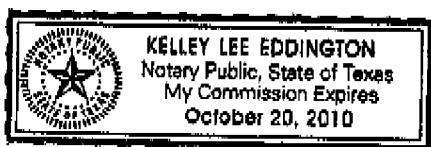
Donald K. Jones
Donald K. Jones

Brett E. Nagreiter
Brett E. Nagreiter

Dennis L. McWilliams
Dennis L. McWilliams

State of Texas)
County of Travis) ss:

BE IT KNOWN, that on this 19th day of September 2007, personally appeared Vladimir Mitelberg, Donald K. Jones, Brett E. Nagreiter, and Dennis L. McWilliams, to me known and known to me to be the individuals described in and who executed the foregoing assignment, and they acknowledged to me that they executed the same



Kelley Lee Eddington
Notary Public

SEAL

My commission expires:

DAVID P. GORDON
ADMITTED IN CT AND NY

DAVID S. JACOBSON
ADMITTED IN CT, NY AND NJ

JAY P. SBROLLINI
ADMITTED IN NY, MA AND DC

OF COUNSEL:
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ADMITTED IN NY AND NJ

GORDON & JACOBSON, P.C.

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To: Assignment Branch

Date: September 27, 2007

Fax No.: 571-273-0140

No. Pages: 4 (including cover)

From: Gordon & Jacobson

Subject: Assignment Recordation for patent application number 11/776,062
My case APO-014

Comments:

This is a Right fax transmission.

Please send confirmation of recordation of assignment to fax number
203 323-1803

All fees are to be charged to **Deposit Account No. 07-1732**

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