

05-02-2008

U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office



103500101

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)

Kelly Ammann
Vincent P. Novak
Robert Schneider

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

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

Execution Date(s) 04/09/2008 and 04/21/2008

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

2. Name and address of receiving party(ies)

Name: iBalance Medical, Inc.

Internal Address: _____

Street Address: 4900 Nautilus Ct., Suite 100

City: Boulder

State: CO

Country: USA Zip: 80301

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

4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

11/986,444

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: Mark J. Pandiscio

Internal Address: Pandiscio & Pandiscio, P.C.

Street Address: 470 Totten Pond Road

City: Waltham

State: MA Zip: 02451

Phone Number: 781-290-0060

Fax Number: 781-290-4840

Email Address: _____

6. Total number of applications and patents involved: _____

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 (any deficiencies)
☐ None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 16-0221

Authorized USPTO DEPT OF COMMERCE 00000048 11986444

01 FC:0021

40.00 OP

9. Signature:

Margaret M. Carley

Signature

04/28/2008

Date

Margaret M. Carley

Name of Person Signing

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

4

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

ASSIGNMENT

We, Kelly Ammann of 1375 Linden Road, Boulder, CO 80304, Vincent P. Novak of 2013 Coralbells Court, Longmont, CO 80503 and Robert Schneider of 2777 Hughs Drive, Erie, CO 80516 having invented certain improvements in METHOD AND APPARATUS FOR PERFORMING AN OPEN WEDGE, HIGH TIBIAL OSTEOTOMY and having executed an application for United States patent describing the same and based thereon (and we hereby authorize our attorney(s), authorized to prosecute said application, to here insert the filing date and serial number of said application, when known, Serial No. 11/986,444, filed 11/21/2007), for good and valuable consideration, receipt of which is hereby acknowledged from iBalance Medical, Inc., a Delaware corporation having a place of business at 4900 Nautilus Ct., Ste 100, Boulder, CO 80301, hereinafter called the Assignee (which term shall include its successors and assigns), do hereby sell, assign and transfer unto the Assignee our entire right, title, and interest, in and throughout the United States of America (including its territories and dependencies) and all countries foreign thereto, in and to and under said application (which term shall include hereinafter where the context so admits all divisional, continuing, reissue and other patent applications based thereon) and the inventions (which term shall include each and every such invention, or any part thereof) therein described, and any and all patents and like rights of exclusion (including extensions thereof) of any country which may be granted on or for said inventions or on said application.

And for the same consideration we do also hereby sell, assign and transfer unto the Assignee all our rights under the International Convention for the Protection of Industrial Property and all other treaties of like purpose in respect of said inventions and said application and we do hereby authorize the Assignee to apply in our names or its own name for patents and like rights of exclusion on or for said inventions in all countries, claiming (if the Assignee so desires) the priority of the filing date of said application under the provisions of said Convention or any such other treaty;

And for the same consideration we do hereby jointly and severally agree for ourselves and for our respective heirs, executors and administrators, promptly upon request of the Assignee, to execute and deliver without further compensation any power of attorney, assignment, original, divisional, continuing, reissue or other application or applications for

*Pandiscio & Pandiscio, P.C.
470 Totten Pond Road
Waltham, MA 02451
Tel. (781) 290 0060*


NOVAK-19

patent or patents or like rights of exclusion of any country, or other lawful documents and any further assurances that may be deemed necessary or desirable by the Assignee fully to secure to it said right, title, and interest as aforesaid in and to said inventions, application, and said several patents and like rights of exclusion, or any of them, all, however, at the expense of the Assignee;

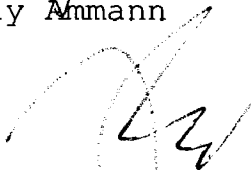
And we do hereby authorize and request the Commissioner of Patents of the United States of America and the corresponding Officer of each country foreign thereto to issue to the Assignee any and all patents and like rights of exclusion which may be granted in any country upon said application or on or for said inventions;

And we do hereby jointly and severally covenant for ourselves and for our respective legal representatives and agree with the Assignee that we have granted no right or license to make, use or sell said inventions to anyone except the Assignee, that prior to the execution of this deed our right, title and interest in and to said inventions has not been otherwise encumbered by us, and that we have not executed and will not execute any instrument in conflict herewith.

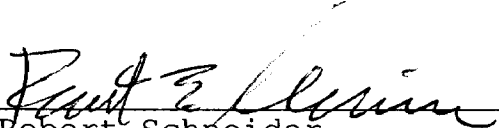
IN WITNESS WHEREOF, we hereunto set our hands and seals on the day and year hereinafter noted.



Kelly Ammann



Vincent P. Novak



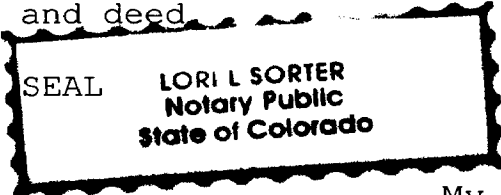
Robert Schneider

Pandiscio & Pandiscio, P.C.
470 Totten Pond Road
Waltham, MA 02451
Tel. (781) 290 0060

NOVAK-19

State of Colorado,
County of Boulder ss.

Before me this 29~~th~~ day of April, 2008,
personally appeared Kelly Ammann, who is to me personally known,
and acknowledged the foregoing instrument to be his/her free act
and deed.

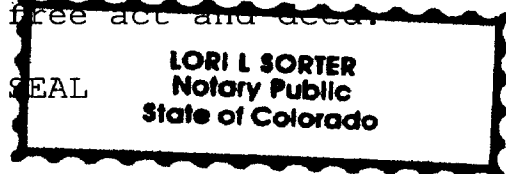


Lori L. Sorter
NOTARY PUBLIC

My commission expires: 9-22-08

State of Colorado,
County of Boulder ss.

Before me this 9th day of April, 2008,
personally appeared Vincent P. Novak, who is to me personally
known, and acknowledged the foregoing instrument to be his/her
free act and deed.

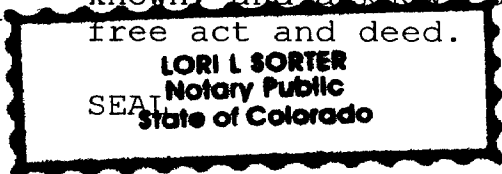


Lori L. Sorter
NOTARY PUBLIC

My commission expires: 9-22-08

State of Colorado,
County of Boulder ss.

Before me this 9th day of April, 2008,
personally appeared Robert Schneider, who is to me personally
known, and acknowledged the foregoing instrument to be his/her
free act and deed.



Lori L. Sorter
NOTARY PUBLIC

My commission expires: 9-22-08

EH/NOVAK19.ASN

Pandiscio & Pandiscio, P.C.
470 Totten Pond Road
Waltham, MA 02451
Tel. (781) 290 0060

NOVAK-19

PATENT

RECORDED: 05/01/2008

REEL: 020896 FRAME: 0080