

09-04-2008



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To the Director of the U.S. Patent and Trademark Office

Documents or the new address(es) below.

8-22-08

1. Name of conveying party(ies)

- 1) Todd A. Berg
- 2) Steven D. Kruse
- 3) Jerome K. Grudem, Jr.
- 4) Jon St. Germain
- 5) Eric Stainbrook

2. Name and address of receiving party(ies)

Name: Torax Medical, Inc.

Internal Address: _____

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

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

Execution Date(s) 1) 8/15/08; 2) 8/18/08; 3) 8/18/08;
4) 8/18/08; 5) 8/15/08

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

Street Address: 4188 Lexington Avenue North

City: Shoreview

State: MN

Country: USA Zip: 55126

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

4. Application or patent number(s):

This document is being filed together with a new application

Execution date(s): 1) 8/15/08; 2) 8/18/08; 3) 8/18/08;
4) 8/18/08; 5) 8/15/08

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? Yes NO

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

Name: Ropes & Gray LLP

Internal

Address: Robert R. Jackson, Esq.

Street Address: 1211 Avenue of the Americas

City: New York

State: NY Zip: 10036

Phone Number: 212.596.9000

Fax Number: 212.596.9090

Email Address: robert.jackson@ropesgray.com

6. Total number of applications and patents involved: 1

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 06-1075, Order No.

000787-0014-101

Authorized/Used Name: Ropes & Gray LLP 12229343

9. Signature: Robert R. Jackson

Signature

August 22, 2008

Date

Robert R. Jackson (Reg. No. 26,183)

Total number of pages including cover
Sheet, attachments, and documents: 3

Name Of Person Signing

A S S I G N M E N T

WHEREAS, we, Todd A. Berg, Steven D. Kruse, Jerome K. Grudem, Jr., Jon St. Germain, and Eric Stainbrook, residing, respectively, at 8200 60th Street North, Stillwater, Minnesota 55082; 4539 Mellum Avenue NE, St. Michael, Minnesota 55376; 14039 Vicki Circle, Rogers, Minnesota 55374; 21145 Joplin Street NW, Elk River, Minnesota 55330; and 1544 Pascal Street N., St. Paul, Minnesota 55108, have made an invention entitled:

MAGNETIC GASTRIC BAND OR
THE LIKE, AND RELATED METHODS

and are about to make application for United States Letters Patent therefor, the same having been executed by us on even date(s) herewith; and

WHEREAS, Torax Medical, Inc., a corporation organized and existing under the laws of Delaware and having an office and place of business at 4188 Lexington Avenue North, Shoreview, Minnesota 55126, is desirous of acquiring the entire interest in said invention, said United States patent application and in any Letters Patent which may issue thereon;

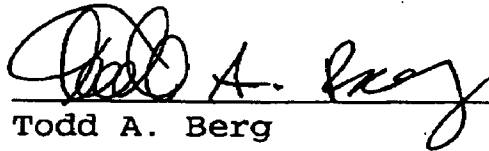
NOW, THEREFORE, be it known that for and in consideration of the sum of One Dollar (\$1.00) to us paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we do hereby sell, assign and transfer unto the said Torax Medical, Inc., its successors, assigns and legal representatives, all right, title and interest in and to said invention and any improvements thereon for all countries of the world, and in and to said United States patent application, including any continuations and divisions thereof, and any substitute applications therefor, and any patents which may issue thereon, and any reissues of the

same, and including the right to claim priority under the International Convention based on said patent application; and all right, title and interest in and to every patent application filed or to be filed on said invention in any other country, including renewals, revivals, continuations and divisions thereof, and any substitute applications therefor, and any and all patents which may issue thereon, and any reissues and extensions of the same; and we hereby authorize and request competent authorities to grant and issue any and all patents on said invention to the said Torax Medical, Inc., as the assignee of the entire interest therein; and we further agree to execute upon request of the assignee such additional documents, if any, as are necessary and proper to secure patent protection on said invention throughout all countries of the world, and to otherwise give full effect to and perfect the rights of the assignee under this Assignment.

IN TESTIMONY WHEREOF, we have hereunto signed our names on the date(s) indicated hereinafter.

8-15-08

Date


Todd A. Berg

18 AUG 08

Date


Steven D. Kruse

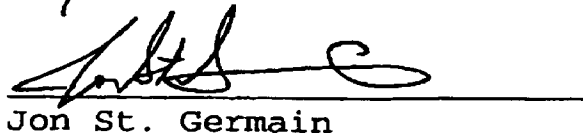
18 AUG 08

Date


Jerome K. Grudem, Jr.

8-18-08

Date


Jon St. Germain

8/15/08

Date


Eric Stainbrook