

Form PTO-1595 (Rev. 03-09)  
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U.S. DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

# RECORDATION FORM COVER SHEET

## PATENTS ONLY AP0-019

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)

J. Landon Gilkey  
Brett E. Nagreiter  
Peter K. Kratsch  
Donald K. Jones

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

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

Execution Date(s) July 13, 2009

- ☒ 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: Apollo Endosurgery, Inc.

Internal Address: Suite 250

Street Address: 7000 Bee Caves Road

City: Austin

State: Texas

Country: USA Zip: 78746

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)

B. Patent No.(s)

12/485,576

Additional numbers attached? ☐ Yes ☒ No

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

Name: Gordon & Jacobson, PC

Internal Address: Suite 407

Street Address: 60 Long Ridge Road

City: Stamford

State: Connecticut 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

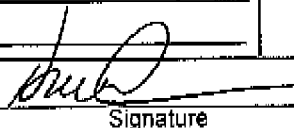
- ☒ Authorized to be charged to deposit account  
☐ Enclosed  
☐ None required (government interest not affecting title)

### 8. Payment Information

Deposit Account Number 071732

Authorized User Name David S. Jacobson

### 9. Signature:

  
Signature

8/25/09  
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 (571) 273-0140, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, V.A. 22313-1450

CH \$40.00 071732 12485576

APO-019

**ASSIGNMENT**

WHEREAS, we, **J. Landon Gilkey, Brett E. Naglreiter, Peter K. Kratsch and Donald K. Jones**, hereinafter referred to as the "Inventors", whose post office addresses and citizenship are respectively,

- 1) 5608 Apple Orchard Lane, Austin, TX 78744, (US Citizen)
- 2) 201 Lavaca Street, Apt. 341, Austin, TX 78701, (US Citizen)
- 3) 1219 Pine Portage Loop, Leander, TX 78641, (US Citizen)
- 4) 705 N. Canyonwood Drive, Dripping Springs, TX 78620, (US Citizen)

have invented certain new and useful improvements in

**ENDOSCOPIC SUTURING SYSTEM**

as described and set forth in an application for Letters Patent of the United States of America, filed by us on the 16th day of June 2009 as serial number 12/485,576.  
(Attorney Docket No. APO-019).

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 Caves Rd., 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 or any other application which claims the benefit of said 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.

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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.

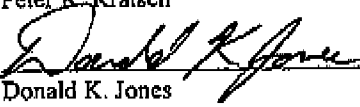
The undersigned hereby grant(s) David P. Gordon, Esq., David S. Jacobson, Esq., and Jay P. Sbrollini, Esq. the power to insert on this Assignment any further identification which may be necessary in order to comply with the rules of the U.S. Patent and Trademark Office for the recordation of this document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

IN WITNESS WHEREOF, we, J. Landon Gilkey, Brett E. Naglreiter, Peter K. Kratsch and Donald K. Jones, have hereunto set our hands and seals this 13<sup>th</sup> day of July, 2009.

  
J. Landon Gilkey

  
Brett E. Naglreiter

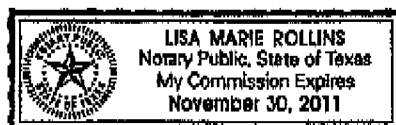
  
Peter K. Kratsch


  
Donald K. Jones

State of Texas )  
County of Travis ) ss:

BE IT KNOWN, that on this 13 day of July, 2009, personally appeared, J. Landon Gilkey, Brett E. Naglreiter, Peter K. Kratsch and Donald K. Jones, 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.

SEAL



  
Notary Public

My commission expires: 11/30/2011