

PATENT ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
Medtronic Spine LLC	09/30/2009
RECEIVING PARTY DATA	
Name:	Kyphon SARL
Street Address:	Pierre-a-Bot 97
City:	Neuchatel
State/Country:	SWITZERLAND
Postal Code:	2000
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	11764050
CORRESPONDENCE DATA	
Fax Number:	(901)399-3040
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	408-548-3929
Email:	memipdocketing@medtronic.com
Correspondent Name:	John M. Kubodera
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Address Line 2:	SS-46
Address Line 4:	Memphis, TENNESSEE 38132
ATTORNEY DOCKET NUMBER:	P0031044.00
NAME OF SUBMITTER:	John M. Kubodera
Total Attachments: 2 source=Assignment_P0031044_00#page1.tif source=Assignment_P0031044_00#page2.tif	

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PATENT ASSIGNMENT

THIS AGREEMENT is entered into this 30 day of September 2009 by and between **Medtronic Spine LLC**, a Delaware limited liability company, with its principal place of business at 1221 Crossman Avenue, Sunnyvale, CA, 94089 ("ASSIGNOR") and **Kyphon SÀRL**, a limited liability company organized and existing under the laws of Switzerland, with its registered address at Pierre-à-Bot 97, 2000 Neuchâtel, Switzerland ("ASSIGNEE").

WITNESSETH:

WHEREAS, ASSIGNOR is the sole and exclusive owner of the United States pending patent application entitled **SYSTEMS AND METHODS FOR NEEDLE ACCESS TO AN INTERVERTEBRAL DISC**, which is a non-provisional application bearing application number 11/764,050, and filed on June 15, 2007,

WHEREAS, ASSIGNEE is desirous of acquiring the entire right, title and interest therein:

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration by ASSIGNEE to ASSIGNOR of valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR hereby assigns and transfers unto ASSIGNEE the full and exclusive right, title and interest in and to the Patents in the United States and its territorial possessions and in all foreign countries or any continuation, continuation-in-part, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted, as well as all proceeds therefor (including, but not limited to, all license royalties and proceeds of infringement suits), the right to sue for past, present, and future infringements.

ASSIGNOR COVENANTS and AGREES and WARRANTS that it has a full and unencumbered title to the invention hereby assigned, and further covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale;

ASSIGNOR COVENANTS and AGREES and WARRANTS that ASSIGNEE will, at any time upon request, without further compensation, be provided promptly with all pertinent facts and documents relating to Patents and legal equivalents in all foreign countries as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application,

said invention and said Patents and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, this Assignment has been duly executed on this 30 day of September 2009.

Medtronic Spine LLC

By: Noreen C. Johnson

Name: Noreen C. Johnson

Title: Vice President

STATE OF Tennessee

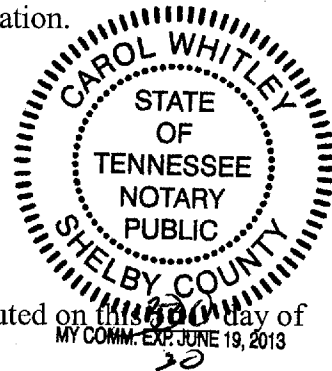
COUNTY OF Shelby

On this the 30 day of September 2009, before me, a Notary Public, appeared Noreen C. Johnson, personally known, who, being by me duly sworn, did say that she is the Vice President of Medtronic Spine LLC; that said instrument is executed on behalf of said corporation, and that said officer acknowledged said instrument to be the free act and deed of said corporation.

Subscribed and sworn to before me this 30 day of September 2009.

Carol Whitley

Notary Public



IN WITNESS WHEREOF, this Assignment has been duly executed on this 30 day of September 2009.

Kyphon SÀRL

By: Noreen C. Johnson

Name: Noreen C. Johnson

Title: Authorized Signatory

STATE OF Tennessee

COUNTY OF Shelby

On this the 30 day of September 2009, before me, a Notary Public, appeared Noreen C. Johnson, personally known, who, being by me duly sworn, did say that she is the Authorized Signatory of Kyphon SÀRL; that said instrument is executed on behalf of said corporation, and that said officer acknowledged said instrument to be the free act and deed of said corporation.

Subscribed and sworn to before me this 30 day of September 2009.

Carol Whitley

Notary Public



MY COMM. EXP. JUNE 19, 2013
PATENT