

10-27-2009

10-26-09



ET

To the Director of the U.S. Patent and

103578673

documents or the new address(es) below.

1. Name of conveying party(ies)

Justin L. Horacek

2. Name and address of receiving party(ies)

Name: iBalance Medical, Inc.

Internal Address:

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

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

Execution Date(s) 9/15/2008

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Joint Research Agreement

☐ Government Interest Assignment

☐ Executive Order 9424, Confirmatory License

☐ Other

Street Address: 4900 Nautilus Court

Suite 100

City: Boulder

State: CO

Country: USA Zip: 80301

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

4. Application or patent number(s):

A. Patent Application No.(s)

12/188,058

☐ 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: 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: 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
(any deficiencies)

☒ Enclosed

☐ 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 User Name

10/27/2009 08:00:00 00000009 12188058

9. Signature:

Margaret M. Carley
Signature

61 FC:6821

10/22/2009 45.00 01

Date

Margaret M. Carley

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

ES/NOVAK25.REC
NOVAK-25

PATENT
REEL: 023429 FRAME: 0405

ASSIGNMENT

I, Justin L. Horacek of _____,
having invented improvements in METHOD AND APPARATUS FOR
PERFORMING AN OPEN WEDGE OSTEOTOMY and having executed an
application for United States patent describing the same and
based thereon (and I hereby authorize my attorney(s), authorized
to prosecute said application, to here insert the filing date
and serial number of said application, when known, Serial No.
12/188,058, filed 08/07/2008), 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 Court, Suite 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 my 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 I do also hereby sell,
assign and transfer unto the Assignee all my 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 I do hereby authorize
the Assignee to apply in my name 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 I do hereby agree for myself
and for my 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 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

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


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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 I 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 I do hereby covenant for myself and for my legal representatives and agree with the Assignee that I 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 my right, title and interest in and to said inventions has not been otherwise encumbered by me, and that I have not executed and will not execute any instrument in conflict herewith.

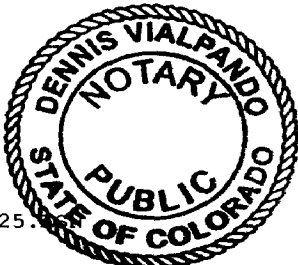
IN WITNESS WHEREOF, I hereunto set my hand and seal on the day and year hereinafter noted.


Justin L. Horacek

State of COLORADO)
County of SEPPARSON) ss.

Before me this 15th day of SEPTEMBER, 2008, personally appeared Justin L. Horacek, who is to me personally known, and acknowledged the foregoing instrument to be his/her free act and deed.

SEAL



RC/NOVAK25.

My Commission Expires 08/25/2012


NOTARY PUBLIC

My commission expires: 8/25/2012

Pandiscio & Pandiscio, P.C.
470 Totten Pond Road
Waltham, MA 02451
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Justin L. Horacek
Serial No.: 12/188,058
Filing Date: 08/07/2008
Title: METHOD AND APPARATUS FOR PERFORMING AN
OPEN WEDGE OSTEOTOMY
Examiner: Unknown
Group Art Unit: 3733
Attorney's Docket No.: NOVAK-25

Mail Stop Assignment Recordation Services
Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Gentlemen:

REQUEST FOR RECORDATION

Please record the enclosed Assignment of the above-identified patent application from Justin L. Horacek to iBalance Medical, Inc.

Also enclosed is a check in the amount of \$40.00 to cover the cost of recording the Assignment.

If any additional fees are required in connection with this matter, please charge the same to Deposit Account No. 16-0221.

Thank you.

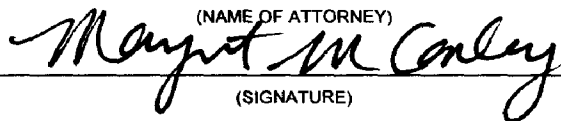
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

October 22, 2009

(DATE OF DEPOSIT)

Margaret M. Carley

(NAME OF ATTORNEY)



(SIGNATURE)

October 22, 2009

(DATE OF SIGNATURE)

Respectfully submitted,



Margaret M. Carley
Registration No. 55,625
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