

FAX FILED 571-273-0140

ATTORNEY DOCKET NO. 10376-719.400

RECORDATION FORM COVER SHEET  
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

TO THE HONORABLE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE. PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.

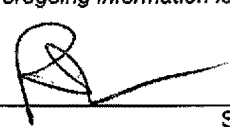
<p>1. Name of conveying party(ies):</p> <p>(1) <b>Gregory P. Schmitz</b>  (2) <b>Michael P. Wallace</b>  (3) <b>Jeffery L. Bleich</b>  (4) <b>Eric C. Miller</b></p> <p>Additional name(s) of conveying party(ies) attached?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: <b>Baxano, Inc.</b>  <b>655 River Oaks Parkway</b>  <b>San Jose, CA 95134</b></p>
<p>3. Nature of Conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger  <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name  <input checked="" type="checkbox"/> Other <b>Corrected Cover Sheet to correct Doc Date of (4) and Application No.</b></p> <p><b>EXECUTION DATES: (1) 06/25/2008,</b>  <b>(2) 07/09/2008, (3) 07/03/2008, (4) 06/26/2008</b></p>	<p>Name and address of receiving party(ies):</p> <p>Name:  Street Address:  City: State: Zip:  Country:  Additional name(s) &amp; address(es) attached?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>

<p>4. Application number(s) or patent number(s):</p> <p>If this document is being filed together with a new application, the execution date of the application is:</p>	
<p>A. Patent Application No.(s) – <b>13/090,944</b></p> <p>Title: <b>METHOD, SYSTEM AND APPARATUS FOR NEURAL LOCALIZATION</b></p>	<p>B. Patent No.(s)</p>

Additional numbers attached? ☐ Yes ☒ No

<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p><b>Richard D. Shoop</b>  <b>Shay Glenn LLP</b>  <b>2755 Campus Drive, Suite 210</b>  <b>San Mateo, CA 94403</b></p>	<p>6. Total number of applications and patents involved: <u>1</u></p> <hr/> <p>7. Total fee (37 CFR 3.41): \$40.00</p> <p><input type="checkbox"/> A check is enclosed that includes the total fee.  <input checked="" type="checkbox"/> Charge the \$40 fee to <b>Deposit Account 50-4050.</b></p>
---	---

DO NOT USE THIS SPACE

<p>8. Statement and signature.</p> <p><i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i></p>	
<p><b>Richard D. Shoop, Reg. No. 45,763</b></p> <p>Name of Person Signing</p>	<p align="center"></p> <p align="center">Signature</p> <p align="right">October 13, 2011 Date</p>
<p>Total number of pages including cover sheet, attachments, and documents: <b>11</b></p>	

CH \$40.00 504050 13090944

700473204

PATENT  
REEL: 027075 FRAME: 0115

**ASSIGNMENT OF PATENT APPLICATION**

Docket Number: 10376-719.200

This Assignment of Patent Application is between: Gregory P. Schmitz of Los Gatos, CA; Michael P. Wallace of Pleasanton, CA; Jeffery L. Bleich of Palo Alto, CA; Eric C. Miller of Los Gatos, CA; hereinafter referred to as "Inventor(s)" and BAXANO, Inc. a corporation of the State of Delaware, having a place of business at 2660 Marine Way, Suite B, Mountain View, CA 94043 (hereinafter termed "Assignee").

WHEREAS Inventor has invented certain new and useful improvements in:

**"METHOD, SYSTEM, AND APPARATUS FOR NEURAL LOCALIZATION"**

for which an application for the United States Patent was filed on March 31, 2008, Application No. 12/060,229 which claims the benefit of applications; 61/020,670 filed January 11, 2008; 61/017,512 filed December 28, 2007, 60/976,029 filed September 28, 2007; and 60/970,438 filed September 6, 2007.

WHEREAS, Assignee, is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered by said Inventor (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventor to have been received in full from said Assignee:

1. Said Inventor does hereby sell, assign, transfer and convey unto said Assignee the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and every patent granted on any application which is a divisional, substitution, continuation, or continuation-in-part of any of said applications; and (d) in and to each and every reissue or extensions of any of said patents.

2. Said Inventor hereby covenants and agrees to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and foreign countries. Such cooperation by said Inventor shall include prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of the said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (d) for filing and prosecuting applications for reissuance of any said patents; (e) for interference or other priority proceedings involving said invention; and (f) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation reissues and reexaminations, opposition proceedings, cancellation proceedings, priority contest, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventor in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventor, his heirs, legal representatives and assigns.

4. Said Inventor hereby warrants and represents that he has not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

## ASSIGNMENT OF PATENT APPLICATION

Docket Number: 10376-719.200

IN WITNESS WHEREOF, said Inventor has executed and delivered this instrument to said Assignee:

Date

6/25/2008

Date

7/9/08

Date

7/3/2008

Date

6/26/08

SCHWARTZ, Gregory P.

WALLACE, Michael P.

BLANCH, Jeffery L.

MILLER, Eric C.

FILED VIA EPAS

ATTORNEY DOCKET NO. 10376-719.400

RECORDATION FORM COVER SHEET  
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

TO THE HONORABLE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE. PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.

## 1. Name of conveying party(ies):

- (1) **Gregory P. Schmitz**  
(2) **Michael P. Wallace**  
(3) **Jeffery L. Bleich**  
(4) **Eric C. Miller**

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

## 2. Name and address of receiving party(ies):

Name: **Baxano, Inc.**  
**655 River Oaks Parkway**  
**San Jose, CA 95134**

## 3. Nature of Conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

**EXECUTION DATES: (1) 6/25/2008, (2) 7/9/2008, (3) 7/3/2008, (4) 6/28/2008,**

## Name and address of receiving party(ies):

Name:  
Street Address:  
City: State: Zip:  
Country:  
Additional name(s) & address(es) attached?  
☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) - **13/090,044**

Title: **METHOD, SYSTEM AND APPARATUS FOR  
NERUAL LOCALIZATION**

B. Patent No.(s)

Additional numbers attached?

☐ Yes ☒ No

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

**Richard D. Shoop**  
**Shay Glenn LLP**  
**2755 Campus Drive, Suite 210**  
**San Mateo, CA 94403**

6. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41): **\$40.00**

- ☐ A check is enclosed that includes the total fee.  
☒ Charge the \$40 fee to credit card.

DO NOT USE THIS SPACE

## 8. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

**Jessica Hudak, Reg. No. 61,085**

Name of Person Signing

Signature

9/28/2011

Date

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

PATENT

RECORDED: 10/13/2011

REEL: 027075 FRAME: 0118