

## PATENT ASSIGNMENT

Electronic Version v1.1  
 Stylesheet Version v1.1

| SUBMISSION TYPE:   | NEW ASSIGNMENT           |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
|--|--------------------------|---------------|----------------|-----------------|-------------------------|------------------|---------------|----------------|------------|-----------------|------------|---------------|------------|
| NATURE OF CONVEYANCE:  | ASSIGNMENT               |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| CONVEYING PARTY DATA   |                          |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| <table border="1"> <thead> <tr> <th>Name</th> <th>Execution Date</th> </tr> </thead> <tbody> <tr> <td>Ross R. NICHOLS</td> <td>02/06/2013</td> </tr> <tr> <td>Brian G. EMERICK</td> <td>02/05/2013</td> </tr> <tr> <td>Brent WALTER</td> <td>02/05/2013</td> </tr> <tr> <td>Larry D. SUTTON</td> <td>02/06/2013</td> </tr> <tr> <td>Heidi STAMETS</td> <td>02/05/2013</td> </tr> </tbody> </table> |                          | Name          | Execution Date | Ross R. NICHOLS | 02/06/2013              | Brian G. EMERICK | 02/05/2013    | Brent WALTER   | 02/05/2013 | Larry D. SUTTON | 02/06/2013 | Heidi STAMETS | 02/05/2013 |
| Name   | Execution Date           |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| Ross R. NICHOLS  | 02/06/2013               |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| Brian G. EMERICK   | 02/05/2013               |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| Brent WALTER   | 02/05/2013               |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| Larry D. SUTTON  | 02/06/2013               |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| Heidi STAMETS  | 02/05/2013               |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| RECEIVING PARTY DATA   |                          |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| <table border="1"> <tr> <td>Name:</td> <td>MEDIVEST, LLC</td> </tr> <tr> <td>Street Address:</td> <td>5865 East State Road 14</td> </tr> <tr> <td>City:</td> <td>Columbia City</td> </tr> <tr> <td>State/Country:</td> <td>INDIANA</td> </tr> <tr> <td>Postal Code:</td> <td>46725</td> </tr> </table>   |                          | Name:         | MEDIVEST, LLC  | Street Address: | 5865 East State Road 14 | City:            | Columbia City | State/Country: | INDIANA    | Postal Code:    | 46725      |               |            |
| Name:  | MEDIVEST, LLC            |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| Street Address:  | 5865 East State Road 14  |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| City:  | Columbia City            |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| State/Country:   | INDIANA                  |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| Postal Code:   | 46725                    |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| PROPERTY NUMBERS Total: 1  |                          |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| <table border="1"> <thead> <tr> <th>Property Type</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>PCT Number:</td> <td>US2013025134</td> </tr> </tbody> </table>  |                          | Property Type | Number         | PCT Number:     | US2013025134            |                  |               |                |            |                 |            |               |            |
| Property Type  | Number                   |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| PCT Number:  | US2013025134             |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| CORRESPONDENCE DATA  |                          |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| <p>Fax Number: 5184525579<br/> <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i></p> <p>Phone: (518) 452-5600<br/>       Email: jc@hrfmlaw.com<br/>       Correspondent Name: Heslin Rothenberg Farley &amp; Mesiti PC<br/>       Address Line 1: 5 Columbia Circle<br/>       Address Line 4: Albany, NEW YORK 12203</p>                                       |                          |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| ATTORNEY DOCKET NUMBER:  | 3299.010AWO              |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| NAME OF SUBMITTER:   | Jacquelyn A. Graff, Esq. |               |                |                 |                         |                  |               |                |            |                 |            |               |            |
| Signature:   | /Jacquelyn A. Graff/     |               |                |                 |                         |                  |               |                |            |                 |            |               |            |

CH \$40.00 US2013025134

Date:

06/10/2013

**Total Attachments: 4**

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**ASSIGNMENT**

WHEREAS, We,

**Ross R. NICHOLS**, a citizen of the United States, residing at 9233 East Backwater Road, North Webster, IN 46555;

**Brian G. EMERICK**, a citizen of the United States, residing at 5865 East State Road 14, Columbia City, IN 46725;

**Brent WALTER**, a citizen of the United States, residing at 4868W-1000N, Huntington, IN 46750; and

**Larry D. SUTTON**, a citizen of the United States, residing at 1670 W. Business 30, Columbia City, IN 46725;

**Heidi STAMETS**, a citizen of the United States, residing at 24614 Haley Road, Monroeville, IN 46773

(collectively the **INVENTORS**), have invented certain new and useful improvements in a

**TISSUE SPACER IMPLANTS, INSERTION AND ADJUSTMENT TOOLS,  
AND METHOD OF USE**

which is the subject of International Application Number PCT/US2013/025134 filed on February 7, 2013 (Attorney Docket No. 3299.010AWO), claiming priority to U.S. Provisional Application No. 61/595,755, filed February 7, 2012; and

WHEREAS, **MEDIVEST, LLC**, having offices at 5865 East State Road 14, Columbia City, IN 46725 is desirous of obtaining the entire right, title and interest in, to and under said improvements and said application;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which We hereby acknowledged, We, the **INVENTORS**, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, to **MEDIVEST, LLC**, its successors, legal representatives and assigns the entire right, title and interest in, to and under the said improvements, of the above-identified application – including the right to claim priority to said application – all designs, provisionals, non-provisionals, divisionals, renewals, continuations and continuations-in-part thereof, and all applications for Letters Patent which have been filed or may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, reexaminations, renewals and reissues thereof; and We hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to **MEDIVEST, LLC**, its successors, legal representatives, and assigns in accordance with the terms of this instrument;

AND WE HEREBY covenant that We have full right to convey the entire interest herein assigned, and that We have not executed, and will not execute, any agreement in conflict herewith;

AND WE HEREBY further covenant and agree that We will communicate to **MEDIVEST, LLC**, its successors, legal representatives, and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all design, provisional, non-provisional, divisional, continuing, and reissue applications, make all rightful oaths and generally do everything possible to aid **MEDIVEST, LLC**, its successors, legal representatives, and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

AND WE HEREBY grant Heslin Rothenberg Farley & Mesiti, P.C. the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN TESTIMONY WHEREOF, I, **Ross R. NICHOLS**, hereunto set my hand and seal this 6 day of FEB, 2013.

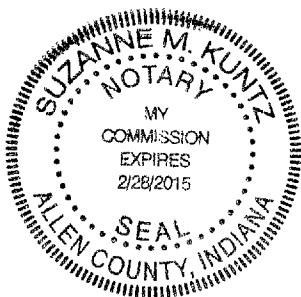
  
\_\_\_\_\_  
Ross R. NICHOLS

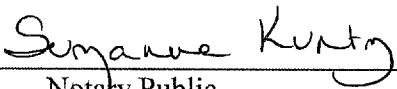
STATE OF INDIANA )

) ss.:

COUNTY OF Allen )

On this 6th day of February, 2013, before me personally came **Ross R. NICHOLS**, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



  
\_\_\_\_\_  
Notary Public

IN TESTIMONY WHEREOF, I, **Brian G. EMERICK**, hereunto set my hand and seal  
this 5<sup>th</sup> day of February, 2013.

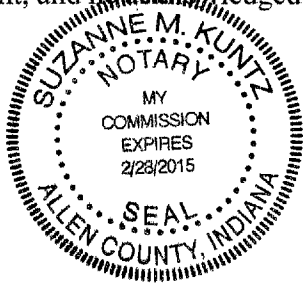
  
\_\_\_\_\_  
**Brian G. EMERICK**

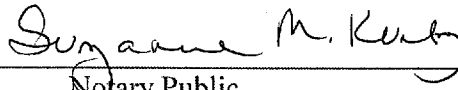
STATE OF INDIANA )

) ss.:

COUNTY OF Allen )

On this 5<sup>th</sup> day of February, 2013, before me personally came **Brian G. EMERICK**, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



  
\_\_\_\_\_  
Notary Public

IN TESTIMONY WHEREOF, I, **Brent WALTER**, hereunto set my hand and seal this  
5<sup>th</sup> day of February, 2013.

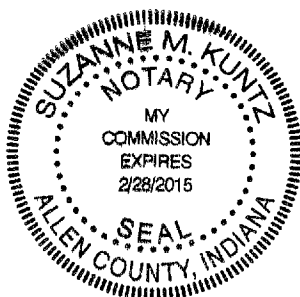
  
\_\_\_\_\_  
**Brent WALTER**


STATE OF INDIANA )

) ss.:


COUNTY OF Allen )

On this 5<sup>th</sup> day of February, 2013, before me personally came **Brent WALTER**, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



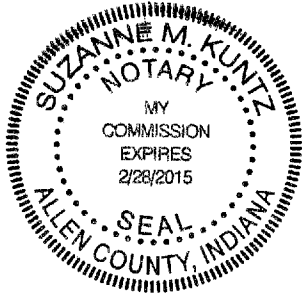
  
\_\_\_\_\_  
Notary Public

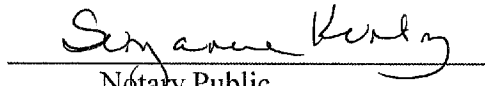
IN TESTIMONY WHEREOF, I, **Larry D. SUTTON**, hereunto set my hand and seal this  
6 day of February, 2013.

  
\_\_\_\_\_  
**Larry D. SUTTON**

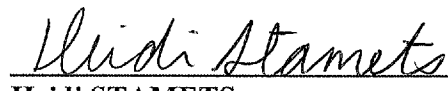
STATE OF INDIANA       )  
  ) ss.:  
COUNTY OF Allen       )

On this 6<sup>th</sup> day of February, 2013, before me personally came **Larry D. SUTTON**, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



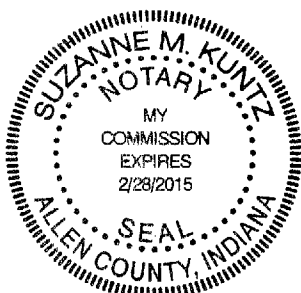
  
\_\_\_\_\_  
Notary Public

IN TESTIMONY WHEREOF, I, **Heidi STAMETS**, hereunto set my hand and seal this  
5 day of February, 2013.

  
\_\_\_\_\_  
**Heidi STAMETS**

STATE OF INDIANA       )  
  ) ss.:  
COUNTY OF Allen       )

On this 5<sup>th</sup> day of February, 2013, before me personally came **Heidi STAMETS**, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



  
\_\_\_\_\_  
Notary Public