

PATENT ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT												
NATURE OF CONVEYANCE:	Correction to Assignee in Reel/Frame: 017621/0780												
CONVEYING PARTY DATA													
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;">Name</th> <th>Execution Date</th> </tr> </thead> <tbody> <tr> <td>Wes Johnson</td> <td>07/11/2001</td> </tr> <tr> <td>Tyler Lipschultz</td> <td>07/12/2001</td> </tr> <tr> <td>Larry Wales</td> <td>07/12/2001</td> </tr> <tr> <td>Robert Kieval</td> <td>07/12/2001</td> </tr> </tbody> </table>		Name	Execution Date	Wes Johnson	07/11/2001	Tyler Lipschultz	07/12/2001	Larry Wales	07/12/2001	Robert Kieval	07/12/2001		
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RECEIVING PARTY DATA													
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Name:</td> <td>Vertx Inc.</td> </tr> <tr> <td>Street Address:</td> <td>6765 Wedgwood Road</td> </tr> <tr> <td>Internal Address:</td> <td>Suite 100</td> </tr> <tr> <td>City:</td> <td>Maple Grove</td> </tr> <tr> <td>State/Country:</td> <td>NEW YORK</td> </tr> <tr> <td>Postal Code:</td> <td>55311</td> </tr> </table>		Name:	Vertx Inc.	Street Address:	6765 Wedgwood Road	Internal Address:	Suite 100	City:	Maple Grove	State/Country:	NEW YORK	Postal Code:	55311
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PROPERTY NUMBERS Total: 1													
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Property Type</th> <th>Number</th> </tr> </thead> <tbody> <tr> <td>Patent Number:</td> <td>7749255</td> </tr> </tbody> </table>		Property Type	Number	Patent Number:	7749255								
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CORRESPONDENCE DATA													
<p>Fax Number: 9733311717 <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i></p> <p>Phone: 973-331-1700 Email: cmonaghan@hbiplaw.com Correspondent Name: Hoffmann & Baron, LLP Address Line 1: 6900 Jericho Turnpike Address Line 2: Ludomir A. Budzyn Address Line 4: Syosset, NEW YORK 11791</p>													
ATTORNEY DOCKET NUMBER:	1487-27 CON III/CON												
NAME OF SUBMITTER:	Ludomir A. Budzyn												

CH \$40.00 7749255

ASSIGNMENT

We, Wes Johnson, Tyler Lipschultz, Larry Wales and Robert Kieval, citizens of the United States residing at 8091 Spruce Trail, Eden Prairie, Minnesota 55347; 15 South 1st Street #A1119, Minneapolis, MN 55401; 1654 Currie Street, Maplewood, Minnesota 55119; and 850 Foxberry Circle, Medina, Minnesota 55340, respectively, have made an invention relating to (title): TISSUE DISTRACTION DEVICE and have executed an application for United States Letters Patent based thereon and identified by attorney's File No. 44864.1 and naming the following inventors: Wes Johnson, Tyler Lipschultz, Larry Wales and Robert Kieval; Application No. 09/872,905, filed June 1, 2001.

In exchange for good and valuable consideration, the receipt of which we now acknowledge, we hereby assign to VERTx, Inc., a Delaware corporation with offices at 6765 Wedgwood Road, Suite 100, Maple Grove, Minnesota 55311, its successors and assigns (hereinafter "Assignee"):

- (1) The entire right, title and interest to the above-identified invention and application;
- (2) The entire right, title and interest to any United States or foreign Letters Patents which may issue with respect to the above identified invention;
- (3) The entire right, title and interest to any renewals, reissues, extensions, substitutions, continuations, continuations-in-part, or divisions that may be filed with respect to the above identified invention and application; and
- (4) The right to apply for Letters Patents in foreign countries in its own name and to claim any priority rights to which such foreign applications are entitled under international conventions, treaties or otherwise.

We further agree for ourselves and for our heirs, executors and administrators, to execute and deliver without further consideration any further applications, assignments or other documents and to perform such other lawful acts as Assignee, its successors and assigns may deem necessary to fully secure, maintain and enforce its rights, title or interest as outlined herein.

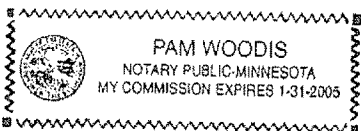
We hereby authorize and request the Commissioner of Patents and Trademarks to issue to Assignee any Letters Patents which may be granted in accordance with this Assignment.

Dated this 12 day of July, 2001.

Wes Johnson

Subscribed and sworn to before me this 12 day of July, 2001.

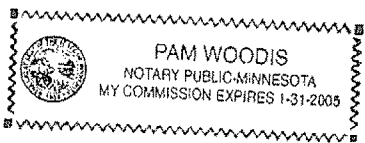
Pam Woodis
Notary Public



Tyler Lipschultz
Tyler Lipschultz

Subscribed and sworn to before me this 12 day of July, 2001.

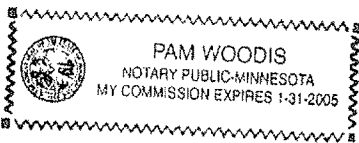
Pam Woodis
Notary Public



Larry Wales
Larry Wales

Subscribed and sworn to before me this 12 day of July, 2001.

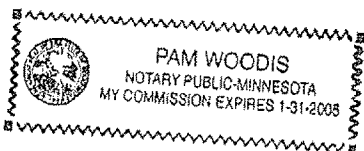
Pam Woodis
Notary Public



Robert Kieval
Robert Kieval

Subscribed and sworn to before me this 12 day of July, 2001.

Pam Woodis
Notary Public



FROM :

FAX NO. :

Jul. 11 2001 10:58AM P3

We hereby authorize and request the Commissioner of Patents and Trademarks to issue to Assignee any Letters Patents which may be granted in accordance with this Assignment.

Dated this 11 day of July, 2001.

Wes Johnson
Wes Johnson

Subscribed and sworn to before me
this 11th day of July, 2001.

Mary M. Sadek
Notary Public



Tyler Lipschultz

Subscribed and sworn to before me
this _____ day of _____, 2001.

Notary Public

Larry Wales

Subscribed and sworn to before me
this _____ day of _____, 2001.

Notary Public

Robert Kieval

Subscribed and sworn to before me
this _____ day of _____, 2001.

Notary Public

Form PTO-1595
6-93
OMB No. 0651-0011 (exp. 4/94)

RECORDATION FORM COVER SHEET
PATENTS ONLY

U.S. Department of Commerce
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies): Wesley D. Johnson Tyler Lipschultz Larry Wales Robert Kieval</p> <p>Additional name(s) of conveying party(ies) attached? [] Yes [X] No</p>	<p>2. Name and address of receiving party(ies): Name: <u>Spine Wave, Inc.</u> Street Address: <u>2 Enterprise Drive</u> City: <u>Shelton, CT 06484</u> Country: <u>United States of America</u> Additional name(s) & address(es) attached? [] Yes [X] No</p>
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3. Nature of Conveyance:

[X] Assignment [] Merger
[] Security Agreement [] Change of Name
[] Other _____

Execution Date(s): 07/11/01, 07/12/01, 07/12/01, 07/12/01

4. Application number(s) or patent number(s): 11/084,288

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

A. Patent Application No(s)	B. Patent No(s)
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Additional numbers attached? [] Yes [X] No

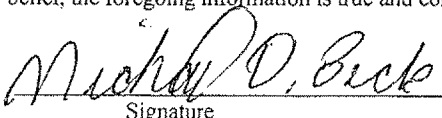
Title: Tissue Distraction Device

Docket No. 1842-0056

<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <u>Michael D. Beck</u></p> <p>Internal Address: <u>Maginot, Moore & Beck, LLP</u></p> <p>Street Address: <u>Chase Tower</u> <u>111 Monument Circle</u> <u>Suite 3250</u> City: <u>Indianapolis</u> State: <u>IN</u> Zip: <u>46204-5109</u></p>	<p>6. Total number of applications and patents involved <u>1</u></p> <p>7. Total fee (37 CFR 3.41): <u>\$ 40.00</u></p> <p>[X] Enclosed [] Authorized to be charged to deposit account</p> <p>8. Deposit Account number: <u>13-0014</u></p> <p>(Attach duplicate copy of this page if paying by deposit account)</p>
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DO NOT USE THIS SPACE

9. 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.

<p><u>Michael D. Beck</u> Name of Person Signing Registration No. 32,722</p>	 Signature	<p><u>February 27, 2006</u> Date</p>
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Total number of pages including cover sheet, attachments and document 4

Mail documents to be recorded with required cover sheet information to:
Mail Stop Assignment Recordation Services
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

PATENT