

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

EPAS ID: PAT3770541

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
MARCELO G LIMA	03/13/2014
PAUL M MEADOWS	03/13/2014
JASPER BENKE	03/13/2014
RECEIVING PARTY DATA	
Name:	IMTHERA MEDICAL, INC
Street Address:	12555 HIGH BLUFF DRIVE
Internal Address:	SUITE 310
City:	SAN DIEGO
State/Country:	CALIFORNIA
Postal Code:	92130
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	15058722
CORRESPONDENCE DATA	
Fax Number:	(215)963-5001
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>	
Phone:	215.963.5435
Email:	gayle.gowen@morganlewis.com
Correspondent Name:	GAYLE G. GOWEN
Address Line 1:	1701 MARKET STREET
Address Line 4:	PHILADELPHIA, PENNSYLVANIA 19103
ATTORNEY DOCKET NUMBER:	069737-5011-01US
NAME OF SUBMITTER:	GAYLE G. GOWEN
SIGNATURE:	/Gayle G. Gowen/
DATE SIGNED:	03/07/2016
Total Attachments: 10	
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ASSIGNMENT

WHEREAS, WE, Marcelo G. Lima, a citizen of the United States of America, with a post office address of 4946 Smith Canyon Ct., San Diego, CA 92130; **Paul M. Meadows**, a citizen of the United States of America, with a post office address of 1854 Los Encinos Avenue, Glendale, CA 91208-2240; and **Jasper Benke**, a citizen of the United States, with a post office address of 1897 Lyndon Road, San Diego, CA 92104, hereinafter generally referred to individually as “ASSIGNOR” or collectively as “ASSIGNORS,” have invented certain new and useful inventions entitled:

“Stimulation of the Hypoglossal Nerve For Controlling The Position of a Patient’s Tongue”

that are described in an International PCT Application having Application No. **PCT/US13/40728** filed May 13, 2013 (“Inventions”) naming the above ASSIGNORS as inventors and/or applicants.

WHEREAS, ImThera Medical, Inc., a corporation having a place of business at 12555 High Bluff Dr., Suite 310, San Diego, CA 92130 USA hereinafter generally referred to as “ASSIGNEE,” is desirous of acquiring and/or confirming the acquisition of said Inventions.

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and intending to be legally bound hereby, we, the undersigned ASSIGNORS, have assigned and/or by these presents do sell, assign, transfer and convey unto the above-named ASSIGNEE, the whole and entire right, title and interest in and to:

all Inventions;

the above patent application and any and all United States and foreign patent applications disclosing one or more of the Inventions including, without limitation, applications for patents including provisionals, non-provisionals, divisions, continuations, continuations-in-part, requests for continued examinations, utility models, PCT applications and designs and any other related United States and foreign applications and equivalents thereof (“Applications”), along with the right to claim priority to the Applications under any treaty relating thereto;

all United States and foreign patents, utility models, inventor’s certificates and designs and all equivalents thereof which may be granted for the Inventions or Applications, including extensions, renewals, reissues and reexamination certificates thereof (“Patents”); and

all rights to sue for and collect damages resulting from past, present and future infringement of all granted or to be granted Patents;

the Inventions, Applications and Patents to be held and enjoyed by the above-named ASSIGNEE, for ASSIGNEE's own use and benefit, and for ASSIGNEE's legal representatives and assigns to the full end of the term or terms of said granted or to be granted Patents, as fully and entirely as the same would have been held by the undersigned ASSIGNORS had this assignment and sale not been made; and for the aforesaid consideration ASSIGNORS hereby covenant, agree and undertake to execute, whenever requested by the above-named ASSIGNEE, all patent applications, assignments, lawful oaths and any other papers which ASSIGNEE may deem necessary or desirable for securing to ASSIGNEE or for maintaining for ASSIGNEE all the Inventions, Applications and Patents hereby assigned or agreed to be assigned; all without further compensation to the undersigned ASSIGNORS.

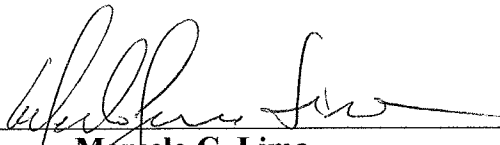
It is agreed that ASSIGNORS shall be legally bound, upon request and at the expense of ASSIGNEE or its successors or assigns or a legal representative thereof, to supply all information and evidence of which the undersigned has knowledge or possession, relating to the making and practicing of the Inventions, and to testify in any legal proceeding relating thereto.

Each ASSIGNOR hereby represents and warrants that he has full right, power and authority to assign the ASSIGNOR'S entire right, title, and interest in the Patents, Applications, and Inventions, and to consummate the assignment contemplated herein. Each ASSIGNOR also represents and warrants that he has full right, power, and authority to enter into, execute, and deliver this Assignment, the execution and delivery of which have been duly authorized by all necessary action on the part of ASSIGNORS, and no other authorization or proceedings on the part of ASSIGNORS are necessary to authorize this Assignment. This Assignment has been duly executed and delivered and constitutes a valid, binding and enforceable assignment of the entire right, title, and interest in the Patents and Applications, and Inventions disclosed therein.

ASSIGNORS hereby warrant that no assignment, sale, agreement, or encumbrance has been or will be made or entered into which would conflict with this Assignment.

(SIGNATURE PAGES FOLLOW)

3/13/2014
(Date)


Marcelo G. Lima

STATE OF

: ss.

COUNTY OF

Before me, a notary public in and for the State and County aforesaid, on this _____ day of _____, 2014, personally appeared **Marcelo G. Lima**, who being known to me (or satisfactorily proven), and who having first executed the foregoing Assignment in connection with the inventions entitled **Stimulation of the Hypoglossal Nerve For Controlling The Position of a Patient's Tongue** in my presence and have been by me first duly sworn, did acknowledge the foregoing instrument as his free deed and act, signed, sealed and delivered by him for the purpose therein stated and intending to be legally bound thereby and intending that said instrument be recorded.

Notary Public

SEE ATTACHMENT FOR
OFFICIAL NOTARIZATION

My Commission Expires:

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of **San Diego**

On 13 Mar 2014 before me, **Kenneth C. Shook, Notary Public,**

personally appeared Marcelo G Lima



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Kenneth C Shook

OPTIONAL

This information not required by law, but may prevent fraudulent removal and reattachment to another document.

Title/Type of Document Assignment

Document Date 13 Mar 2014 Number of Pages 6

CAPACITY(IES) CLAIMED BY SIGNER(S)

Signer's Name _____

- ☐ Individual
☐ Corporate Officer - Title(s) _____
☐ Partner
 ☐ Limited
 ☐ General
☐ Attorney In Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other _____

Signer Is Representing _____

Right Thumbprint
Of Signer

Signer's Name _____

- ☐ Individual
☐ Corporate Officer - Title(s) _____
☐ Partner
 ☐ Limited
 ☐ General
☐ Attorney In Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other _____

Signer Is Representing _____

Right Thumbprint
Of Signer

PATENT

REEL: 037904 FRAME: 0392

3/13/2014 Paul M. Meadows
(Date) Paul M. Meadows

STATE OF

:

: ss.

COUNTY OF

:

Before me, a notary public in and for the State and County aforesaid, on this ____ day of _____, 2014, personally appeared **Paul M. Meadows**, who being known to me (or satisfactorily proven), and who having first executed the foregoing Assignment in connection with the inventions entitled **Stimulation of the Hypoglossal Nerve For Controlling The Position of a Patient's Tongue** in my presence and have been by me first duly sworn, did acknowledge the foregoing instrument as his free deed and act, signed, sealed and delivered by him for the purpose therein stated and intending to be legally bound thereby and intending that said instrument be recorded.

SEE ATTACHMENT FOR
OFFICIAL NOTARIZATION

Notary Public

My Commission Expires:

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of **San Diego**

On 13 Mar 2014 before me, Kenneth C. Shook, Notary Public,

personally appeared Paul M Meadows



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Kenneth C Shook

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13 Mar 2014

Number of Pages

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☐ Partner

☐ Limited

☐ General

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☐ Other

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☐ General

☐ Attorney In Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other


Signer Is Representing

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Of Signer

PATENT

REEL: 037904 FRAME: 0394

03/13/14
(Date)



Jasper Benke

STATE OF

:

: ss.

COUNTY OF

:

Before me, a notary public in and for the State and County aforesaid, on this ____ day of _____, 2014, personally appeared **Jasper Benke**, who being known to me (or satisfactorily proven), and who having first executed the foregoing Assignment in connection with the inventions entitled **Stimulation of the Hypoglossal Nerve For Controlling The Position of a Patient's Tongue** in my presence and have been by me first duly sworn, did acknowledge the foregoing instrument as his free deed and act, signed, sealed and delivered by him for the purpose therein stated and intending to be legally bound thereby and intending that said instrument be recorded.

Notary Public

SEE ATTACHMENT FOR
OFFICIAL NOTARIZATION

My Commission Expires:

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of **San Diego**

On 13 Mar 2014 before me, Kenneth C. Shook, Notary Public,

personally appeared Jasper Benke



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he she/they executed the same in his her/their authorized capacity(ies), and that by his her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Kenneth C. Shook

OPTIONAL

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☐ Trustee
☐ Guardian or Conservator
☐ Other _____

Signer Is Representing _____

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☐ Partner
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 ☐ General
☐ Attorney In Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other _____

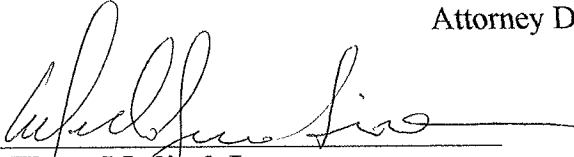
Signer Is Representing _____

Right Thumbprint
Of Signer

PATENT

REEL: 037904 FRAME: 0396

3/13/2014
(Date)


ImThera Medical, Inc.

MARCELO G. LIMA, PRESIDENT & CEO
NAME, TITLE

STATE OF

: ss.

COUNTY OF

Before me, a notary public in and for the State and County aforesaid, on this ____ day of _____, 2014, personally appeared _____, who being known to me (or satisfactorily proven), and who having first executed the foregoing Assignment in connection with the inventions entitled **Stimulation of the Hypoglossal Nerve For Controlling The Position of a Patient's Tongue** in my presence and have been by me first duly sworn, did acknowledge the foregoing instrument as his free deed and act, signed, sealed and delivered by him for the purpose therein stated and intending to be legally bound thereby and intending that said instrument be recorded.

Notary Public

SEE ATTACHMENT FOR
OFFICIAL NOTARIZATION

My Commission Expires:

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of **San Diego**

On 13 Mar 2014 before me, **Kenneth C. Shook, Notary Public,**

personally appeared Marcelo G Lima



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

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Signature Kenneth C Shook

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