

## PATENT ASSIGNMENT COVER SHEET

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EPAS ID: PAT3828121

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------|
| <b>SUBMISSION TYPE:</b>                                                                                                                                                                         | NEW ASSIGNMENT              |                       |
| <b>NATURE OF CONVEYANCE:</b>                                                                                                                                                                    | ASSIGNMENT                  |                       |
| <b>CONVEYING PARTY DATA</b>                                                                                                                                                                     |                             |                       |
|                                                                                                                                                                                                 | <b>Name</b>                 | <b>Execution Date</b> |
|                                                                                                                                                                                                 | ELLIPSE TECHNOLOGIES, INC.  | 01/04/2016            |
| <b>RECEIVING PARTY DATA</b>                                                                                                                                                                     |                             |                       |
| <b>Name:</b>                                                                                                                                                                                    | NUVASIVE, INC.              |                       |
| <b>Street Address:</b>                                                                                                                                                                          | 7475 LUSK BLVD.             |                       |
| <b>City:</b>                                                                                                                                                                                    | SAN DIEGO                   |                       |
| <b>State/Country:</b>                                                                                                                                                                           | CALIFORNIA                  |                       |
| <b>Postal Code:</b>                                                                                                                                                                             | 92121                       |                       |
| <b>PROPERTY NUMBERS Total: 1</b>                                                                                                                                                                |                             |                       |
|                                                                                                                                                                                                 | <b>Property Type</b>        | <b>Number</b>         |
|                                                                                                                                                                                                 | Application Number:         | 14447391              |
| <b>CORRESPONDENCE DATA</b>                                                                                                                                                                      |                             |                       |
| <b>Fax Number:</b>                                                                                                                                                                              | (858)450-7406               |                       |
| <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> |                             |                       |
| <b>Email:</b>                                                                                                                                                                                   | ip@nuvasive.com             |                       |
| <b>Correspondent Name:</b>                                                                                                                                                                      | NUVASIVE, INC.              |                       |
| <b>Address Line 1:</b>                                                                                                                                                                          | 7475 LUSK BLVD.             |                       |
| <b>Address Line 4:</b>                                                                                                                                                                          | SAN DIEGO, CALIFORNIA 92121 |                       |
| <b>ATTORNEY DOCKET NUMBER:</b>                                                                                                                                                                  | 714US1 (ELPSE.029A)         |                       |
| <b>NAME OF SUBMITTER:</b>                                                                                                                                                                       | MARJORIE JARVIS             |                       |
| <b>SIGNATURE:</b>                                                                                                                                                                               | /Marjorie Jarvis/           |                       |
| <b>DATE SIGNED:</b>                                                                                                                                                                             | 04/13/2016                  |                       |
| <b>Total Attachments: 9</b>                                                                                                                                                                     |                             |                       |
| source=2016-01-04_Executed Patent Assignment (Ellipse to Nuva)#page1.tif                                                                                                                        |                             |                       |
| source=2016-01-04_Executed Patent Assignment (Ellipse to Nuva)#page2.tif                                                                                                                        |                             |                       |
| source=2016-01-04_Executed Patent Assignment (Ellipse to Nuva)#page3.tif                                                                                                                        |                             |                       |
| source=2016-01-04_Executed Patent Assignment (Ellipse to Nuva)#page4.tif                                                                                                                        |                             |                       |
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| source=2016-01-04_Executed Patent Assignment (Ellipse to Nuva)#page7.tif                                                                                                                        |                             |                       |

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**PATENT ASSIGNMENT**

WHEREAS, ELLIPSE TECHNOLOGIES, INC., a Delaware Corporation, having an address at 101 Enterprise, Suite 100, Aliso Viejo, California 92656, (hereinafter "ASSIGNOR") is the owner of certain applications for Letters Patent in the United States that have been prepared for filing and/or filed with the United States Patent and Trademark Office (enumerated in Schedule A) and certain applications for Letters Patent in one or more foreign countries (outside the United States) that have been prepared for filing and/or filed with one or more Foreign Patent and Trademark Offices (enumerated in Schedule B) (collectively, the "PATENTS AND APPLICATIONS");

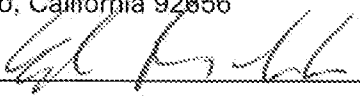
AND WHEREAS, NUVASIVE, INC., a Delaware Corporation, having an address at 7475 Lusk Blvd., San Diego, California 92121 (hereinafter the "ASSIGNEE"), desires to acquire the entire right, title, and interest in and to the PATENTS AND APPLICATIONS:

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby acknowledges that ASSIGNOR has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in the PATENTS AND APPLICATIONS, including all provisional applications relating thereto, and all nonprovisional applications claiming priority thereto, including, all divisions, continuations, continuations-in-part, reissues, and reexaminations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and any related Letters Patent which may hereafter be granted or filed in any country or countries foreign to the United States, all extensions, renewals and reissues thereof; and ASSIGNOR hereby authorizes and requests 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 related Letters Patent to the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR DOES HEREBY sell, assign, transfer, and convey to ASSIGNEE, its successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of said Letters Patent before or after issuance.

AND ASSIGNOR DOES HEREBY covenant and agree that ASSIGNOR will communicate to said ASSIGNEE, its successors, legal representatives and assigns, any facts known to ASSIGNOR respecting the PATENTS AND APPLICATIONS, and testify in any legal proceeding, assist in the preparation of any other provisional or non-provisional applications relating to the PATENTS AND APPLICATIONS or any improvements made thereto, sign all lawful papers, authorize the filing of and execute and make all rightful oaths and/or declarations in connection with the PATENTS AND APPLICATIONS including any improvements made thereto, any patent applications filed therefrom, and any continuing application filed from any of the aforementioned applications, and generally do everything possible to aid the ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for the PATENTS AND APPLICATIONS in all countries.

ELLIPSE TECHNOLOGIES, INC.  
101 Enterprise, Suite 100  
Aliso Viejo, California 92656

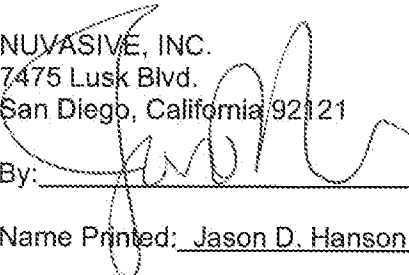
By: 

Name Printed: Edmund Roschak

Title: Chief Executive Officer

Date: January 4, 2016

NUVASIVE, INC.  
7475 Lusk Blvd.  
San Diego, California 92121

By: 

Name Printed: Jason D. Hanson

Title: Executive Vice President, Strategy,  
Corporate Development & General Counsel

Date: January 4, 2016

SIGNATURE PAGE TO ASSIGNMENT

## **SCHEDULE A**

| <b>United States Issued Patents</b>                                      |                 |                   |                     |                    |                     |
|--------------------------------------------------------------------------|-----------------|-------------------|---------------------|--------------------|---------------------|
| <b>Title of Invention:</b>                                               | <b>Country:</b> | <b>Appl. No.:</b> | <b>Filing Date:</b> | <b>Patent No.:</b> | <b>Date Issued:</b> |
| METHOD AND APPARATUS FOR ADJUSTING A GASTROINTESTINAL RESTRICTION DEVICE | US              | 11/760482         | 6/8/2007            | 7,862,502          | 1/4/2011            |
| EXPANDABLE ROD SYSTEM TO TREAT SCOLIOSIS AND METHOD OF USING THE SAME    | US              | 11/172678         | 6/30/2005           | 7,955,357          | 6/7/2011            |
| ADJUSTABLE IMPLANT AND METHOD OF USE                                     | US              | 12/259965         | 10/28/2008          | 7,981,025          | 7/19/2011           |
| SKELETAL MANIPULATION METHOD                                             | US              | 12/121499         | 5/15/2008           | 8,057,472          | 11/15/2011          |
| NON-INVASIVE ADJUSTABLE DISTRACTION SYSTEM                               | US              | 12/391109         | 2/23/2009           | 8,197,490          | 6/12/2012           |
| IMPLANT SYSTEM WITH RESONANT-DRIVEN ACTUATOR                             | US              | 11/760488         | 6/8/2007            | 8,246,533          | 8/21/2012           |
| EXPANDABLE ROD SYSTEM TO TREAT SCOLIOSIS AND METHOD OF USING THE SAME    | US              | 12/421569         | 4/9/2009            | 8,343,192          | 1/1/2013            |
| EXTERNAL ADJUSTMENT DEVICE FOR DISTRACTION DEVICE                        | US              | 12/615855         | 11/10/2009          | 8,382,756          | 2/26/2013           |
| SKELETAL MANIPULATION METHOD                                             | US              | 13/277980         | 10/20/2011          | 8,419,734          | 4/16/2013           |
| BONE GROWTH DEVICE AND METHOD                                            | US              | 12/875585         | 9/3/2010            | 8,449,543          | 5/28/2013           |
| ADJUSTABLE IMPLANT AND METHOD OF USE                                     | US              | 13/158117         | 6/10/2011           | 8,715,159          | 5/6/2014            |
| SYSTEM AND METHOD FOR ALTERING ROTATIONAL ALIGNMENT OF BONE SECTIONS     | US              | 13/370966         | 2/10/2012           | 8,715,282          | 5/6/2014            |
| MAINTENANCE FEATURE IN MAGNETIC IMPLANT                                  | US              | 13/198571         | 8/4/2011            | 8,734,488          | 5/27/2014           |
| ADJUSTABLE IMPLANT AND METHOD OF USE                                     | US              | 13/649977         | 10/11/2012          | 8,808,163          | 8/19/2014           |
| EXPANDABLE ROD SYSTEM TO TREAT SCOLIOSIS AND METHOD OF USING THE SAME    | US              | 13/691530         | 11/30/2012          | 8,852,236          | 10/7/2014           |
| VARIABLE LENGTH DEVICE AND METHOD                                        | US              | 13/371012         | 2/10/2012           | 8,852,187          | 10/7/2014           |

|                                                                                                   |    |           |            |           |            |
|---------------------------------------------------------------------------------------------------|----|-----------|------------|-----------|------------|
| NON-INVASIVE ADJUSTABLE DISTRACTION SYSTEM                                                        | US | 13/477945 | 5/22/2012  | 8,974,463 | 3/10/2015  |
| EXPANDABLE ROD SYSTEM TO TREAT SCOLIOSIS AND METHOD OF USING THE SAME                             | US | 14/601999 | 1/21/2015  | 9,011,499 | 4/21/2015  |
| INTRAMEDULLARY IMPLANTS FOR REPLACING LOST BONE                                                   | US | 13/655246 | 10/18/2012 | 9,044,281 | 6/2/2015   |
| DEVICES AND METHODS FOR DETECTION OF SLIPPAGE OF MAGNETIC COUPLING IN IMPLANTABLE MEDICAL DEVICES | US | 13/490107 | 6/6/2012   | 9,078,711 | 7/14/2015  |
| SKELETAL MANIPULATION METHOD                                                                      | US | 14/629426 | 2/23/2015  | 9,179,960 | 11/10/2015 |
| DISTRACTION DEVICES AND METHOD OF ASSEMBLING THE SAME                                             | US | 13/791430 | 3/8/2013   | 9,179,938 | 11/10/2015 |
| MAINTENANCE FEATURE IN MAGNETIC IMPLANT                                                           | US | 14/250313 | 4/10/2014  | 9,186,183 | 11/17/2015 |
| EXTERNAL ADJUSTMENT DEVICE FOR DISTRACTION DEVICE                                                 | US | 13/747028 | 1/22/2013  | 9,192,411 | 11/24/2015 |
| ADJUSTABLE IMPLANT SYSTEM                                                                         |    | 13/625725 | 9/24/2012  | 9,198,755 | 12/1/2015  |

| United States Patent Applications                          |          |            |              |             |              |
|------------------------------------------------------------|----------|------------|--------------|-------------|--------------|
| Title of Invention:                                        | Country: | Appl. No.: | Filing Date: | Patent No.: | Date Issued: |
| INTERSPINOUS PROCESS DEVICE AND METHOD                     | US       | 12/761141  | 4/15/2010    |             |              |
| EXTERNAL ADJUSTMENT DEVICE FOR DISTRACTION DEVICE          | US       | 13/172598  | 6/29/2011    |             |              |
| DEVICES AND METHODS FOR NONINVASIVE IMPLANT LENGTH SENSING | US       | 13/253065  | 10/4/2011    |             |              |
| MAGNETIC IMPLANTS WITH IMPROVED ANATOMICAL COMPATIBILITY   | US       | 13/525058  | 6/15/2012    |             |              |
| SPINAL DISTRACTION SYSTEM                                  | US       | 13/730773  | 12/28/2012   |             |              |
| SKELETAL MANIPULATION METHOD                               | US       | 13/849405  | 3/22/2013    |             |              |
| BONE GROWTH DEVICE AND METHOD                              | US       | 13/892182  | 5/10/2013    |             |              |
| ADJUSTABLE DEVICES FOR TREATING ARTHRITIS OF THE KNEE      | US       | 14/065342  | 10/28/2013   |             |              |

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|---------------------------------------------------------------------------------------------------|----|-----------|------------|--|--|
| SYSTEM AND METHOD FOR ALTERING ROTATIONAL ALIGNMENT OF BONE SECTIONS                              | US | 14/146336 | 1/2/2014   |  |  |
| ADJUSTABLE MAGNETIC DEVICES AND METHODS OF USING SAME                                             | US | 14/355202 | 4/29/2014  |  |  |
| ADJUSTABLE MAGNETIC DEVICES AND METHODS OF USING SAME                                             | US | 14/301238 | 6/10/2014  |  |  |
| EXPANDABLE ROD SYSTEM TO TREAT SCOLIOSIS AND METHOD OF USING THE SAME                             | US | 14/321386 | 7/1/2014   |  |  |
| ADJUSTABLE IMPLANT AND METHOD OF USE                                                              | US | 14/328568 | 7/10/2014  |  |  |
| NON-INVASIVE ADJUSTABLE DISTRACTION SYSTEM                                                        | US | 14/332286 | 7/15/2014  |  |  |
| NONINVASIVELY ADJUSTABLE SUTURE ANCHORS                                                           | US | 14/447391 | 7/30/2014  |  |  |
| ADJUSTABLE MAGNETIC DEVICES AND METHODS OF USING SAME                                             | US | 14/449761 | 8/1/2014   |  |  |
| IMPLANTABLE DYNAMIC APPARATUS HAVING AN ANTI JAMMING FEATURE                                      | US | 14/451190 | 8/4/2014   |  |  |
| ADJUSTABLE DEVICES FOR TREATING ARTHRITIS OF THE KNEE                                             | US | 14/379742 | 8/19/2014  |  |  |
| ADJUSTABLE SPINAL IMPLANT                                                                         | US | 14/511084 | 10/9/2014  |  |  |
| METHODS AND APPARATUS FOR BONE RESHAPING                                                          | US | 14/512119 | 10/10/2014 |  |  |
| SYSTEMS AND METHODS FOR DISTRACTION                                                               | US | 62/097005 | 12/26/2014 |  |  |
| SYSTEMS AND METHODS FOR VERTEBRAL ADJUSTMENT                                                      | US | 62/118411 | 2/19/2015  |  |  |
| VARIABLE LENGTH DEVICE AND METHOD                                                                 | US | 14/667620 | 3/24/2015  |  |  |
| ADJUSTABLE IMPLANT AND METHOD OF USE                                                              | US | 14/668901 | 3/25/2015  |  |  |
| SYSTEM FOR INFORMATIONAL MAGNETIC FEEDBACK IN ADJUSTABLE IMPLANTS                                 | US | 14/698665 | 4/28/2015  |  |  |
| DEVICES AND METHODS FOR DETECTION OF SLIPPAGE OF MAGNETIC COUPLING IN IMPLANTABLE MEDICAL DEVICES | US | 14/737192 | 6/11/2015  |  |  |
| SYSTEMS AND METHODS FOR ULTRASONIC DETECTION OF DEVICE DISTRACTION                                | US | 14/863019 | 9/23/2015  |  |  |

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|-------------------------------------------------------------------|----|-----------|------------|--|--|
| SKELETAL MANIPULATION METHOD                                      | US | 14/880980 | 10/12/2015 |  |  |
| MAINTENANCE FEATURE IN MAGNETIC IMPLANT                           | US | 14/883485 | 10/14/2015 |  |  |
| ADJUSTABLE IMPLANT SYSTEM                                         | US | 14/885749 | 10/16/2015 |  |  |
| EXTERNAL ADJUSTMENT DEVICE FOR DISTRACTION DEVICE                 | US | 14/885227 | 10/16/2015 |  |  |
| ADJUSTABLE DEVICES FOR TREATING ARTHRITIS OF THE KNEE             | US | 62/242931 | 10/16/2015 |  |  |
| ADJUSTABLE IMPLANT AND METHOD OF USE                              | US | 14/920709 | 10/22/2015 |  |  |
| SYSTEMS AND METHODS FOR TREATMENT OF INCONTINENCE                 | US | 62/249059 | 10/30/2015 |  |  |
| SYSTEM FOR INFORMATIONAL MAGNETIC FEEDBACK IN ADJUSTABLE IMPLANTS | US | 14/932904 | 11/4/2015  |  |  |
| EXTERNAL ADJUSTMENT DEVICE FOR DISTRACTION DEVICE                 | US | 62/265430 | 12/10/2015 |  |  |
| SYSTEMS AND METHODS FOR DISTRACTION                               | US | 14/981762 | 12/28/2015 |  |  |

## **SCHEDULE B**

| <b>Foreign States Issued Patents</b> |                 |                   |                     |                    |                     |
|--------------------------------------|-----------------|-------------------|---------------------|--------------------|---------------------|
| <b>Title of Invention:</b>           | <b>Country:</b> | <b>Appl. No.:</b> | <b>Filing Date:</b> | <b>Patent No.:</b> | <b>Date Issued:</b> |
| SKELETAL MANIPULATION SYSTEM         | CN              | 200880121423.1    | 10/13/2008          | ZL 200880121423.1  | 11/21/2012          |
| SKELETAL MANIPULATION SYSTEM         | CN              | 201210404498.9    | 10/22/2012          | ZL 2012104044989   | 3/4/2015            |
| SPINAL DISTRACTION SYSTEM            | CN              | 201080008758.X    | 8/22/2011           | ZL 201080008758.X  | 9/16/2015           |
| BONE GROWTH DEVICE AND METHOD        | CN              | 201080039442.7    | 9/3/2010            | ZL 201080039442.7  | 9/9/2015            |
| ADJUSTABLE IMPLANT SYSTEM            | EP              | 8730778.1         | 8/31/2009           | 2114258            | 6/25/2014           |
| BONE GROWTH DEVICE AND METHOD        | JP              | 2012-528095       | 2/29/2012           | 5751642            | 5/29/2015           |

| <b>Foreign Patent Applications</b>                    |                 |                    |                     |                    |                     |
|-------------------------------------------------------|-----------------|--------------------|---------------------|--------------------|---------------------|
| <b>Title of Invention:</b>                            | <b>Country:</b> | <b>Appl. No.:</b>  | <b>Filing Date:</b> | <b>Patent No.:</b> | <b>Date Issued:</b> |
| ADJUSTABLE DEVICES FOR TREATING ARTHRITIS OF THE KNEE | AU              | 2013338218         | 4/29/2015           |                    |                     |
| BONE GROWTH DEVICE AND METHOD                         | AU              | 2010289288         | 2/28/2012           |                    |                     |
| ADJUSTABLE DEVICES FOR TREATING ARTHRITIS OF THE KNEE | BR              | BR 11 2015009446 5 | 4/27/2015           |                    |                     |
| SKELETAL MANIPULATION SYSTEM                          | CA              | 2703562            | 4/22/2010           |                    |                     |
| ADJUSTABLE DEVICES FOR TREATING ARTHRITIS OF THE KNEE | CA              | 2889769            | 4/24/2015           |                    |                     |
| SPINAL DISTRACTION SYSTEM                             | CN              | 201510509301.1     | 8/18/2015           |                    |                     |
| BONE GROWTH DEVICE AND METHOD                         | CN              | 2015104847223      | 8/7/2015            |                    |                     |
| SPINAL DISTRACTION SYSTEM                             | CN              | 201510509680.4     | 8/18/2015           |                    |                     |
| BONE GROWTH DEVICE AND METHOD                         | CN              | 201510484965.7     | 8/7/2015            |                    |                     |
| ADJUSTABLE DEVICES FOR TREATING ARTHRITIS OF THE KNEE | CN              | 2013800689268      | 6/29/2015           |                    |                     |

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|-------------------------------------------------------------------|----|-------------------|------------|--|--|
| DEVICES AND METHODS FOR NONINVASIVE IMPLANT LENGTH SENSING        | DE | 112012004130.5    | 4/4/2014   |  |  |
| MAGNETIC COUPLING SLIPPAGE DETECTION IN IMPLANTABLE DEVICES       | DE | 112013002825.5    | 12/4/2014  |  |  |
| ADJUSTABLE IMPLANT SYSTEM                                         | EP | 14168308.6        | 5/14/2014  |  |  |
| SKELETAL MANIPULATION SYSTEM                                      | EP | 8845847.6         | 5/11/2010  |  |  |
| SPINAL DISTRACTION SYSTEM                                         | EP | 10744153.7        | 8/11/2011  |  |  |
| BONE GROWTH DEVICE AND METHOD                                     | EP | 10814570.7        | 3/20/2012  |  |  |
| ADJUSTABLE DEVICES FOR TREATING ARTHRITIS OF THE KNEE             | EP | 13850787.6        | 4/28/2015  |  |  |
| ADJUSTABLE DEVICES FOR TREATING ARTHRITIS OF THE KNEE             | IN | 3762/DELNP/2015   | 5/4/2015   |  |  |
| SKELETAL MANIPULATION SYSTEM                                      | JP | 2015-178762       | 9/10/2015  |  |  |
| SKELETAL MANIPULATION SYSTEM                                      | JP | 2014-081308       | 4/10/2014  |  |  |
| SPINAL DISTRACTION SYSTEM                                         | JP | 2011-551126       | 8/17/2011  |  |  |
| BONE GROWTH DEVICE AND METHOD                                     | JP | 2015-098790       | 5/14/2015  |  |  |
| BONE GROWTH DEVICE AND METHOD                                     | KR | 10-2012-7008627   | 4/3/2012   |  |  |
| ADJUSTABLE DEVICES FOR TREATING ARTHRITIS OF THE KNEE             | RU | 2015120291        | 5/28/2015  |  |  |
| BONE GROWTH DEVICE AND METHOD                                     | RU | 2012112925        | 4/4/2012   |  |  |
| SYSTEM FOR INFORMATIONAL MAGNETIC FEEDBACK IN ADJUSTABLE IMPLANTS | WO | PCT/US2015/059102 | 11/4/2015  |  |  |
| REMOTELY ADJUSTABLE INTERACTIVE BONE RESHAPING IMPLANT            | WO | PCT/US2015/057010 | 10/22/2015 |  |  |
| METHODS AND APPARATUS FOR BONE RESHAPING                          | WO | PCT/US2014/060131 | 10/10/2014 |  |  |

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|-------------------------------------------------------------------------|----|-------------------|------------|--|--|
| SYSTEM FOR INFORMATIONAL<br>MAGNETIC FEEDBACK IN<br>ADJUSTABLE IMPLANTS | WO | PCT/US2015/028079 | 4/28/2015  |  |  |
| SYSTEMS AND METHODS FOR<br>DISTRACTION                                  | WO | PCT/US2015/000283 | 12/23/2015 |  |  |

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