

## PATENT ASSIGNMENT COVER SHEET

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 Stylesheet Version v1.2

EPAS ID: PAT4249999

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT	
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT	
<b>CONVEYING PARTY DATA</b>		
	<b>Name</b>	<b>Execution Date</b>
	APNEX MEDICAL, INC.	09/13/2013
<b>RECEIVING PARTY DATA</b>		
<b>Name:</b>	CYBERONICS, INC.	
<b>Street Address:</b>	100 CYBERONICS BLVD.	
<b>City:</b>	HOUSTON	
<b>State/Country:</b>	TEXAS	
<b>Postal Code:</b>	77058	
<b>PROPERTY NUMBERS Total: 1</b>		
	<b>Property Type</b>	<b>Number</b>
	Application Number:	15418467
<b>CORRESPONDENCE DATA</b>		
<b>Fax Number:</b>	(202)672-5399	
<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>Phone:</b>	414-271-2400	
<b>Email:</b>	ipdocketing@foley.com, cmarrs@foley.com	
<b>Correspondent Name:</b>	AMY M. GUSTAFSON	
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<b>Address Line 2:</b>	FOLEY & LARDNER LLP	
<b>Address Line 4:</b>	WASHINGTON, D.C. 20007-5109	
<b>ATTORNEY DOCKET NUMBER:</b>	104292-1803	
<b>NAME OF SUBMITTER:</b>	AMY M. GUSTAFSON	
<b>SIGNATURE:</b>	/Amy M. Gustafson/	
<b>DATE SIGNED:</b>	01/30/2017	
<b>Total Attachments: 6</b>		
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## ASSIGNMENT OF U.S. PATENTS AND PATENT APPLICATIONS

WHEREAS, APNEX MEDICAL INC., a corporation organized under the laws of the State of Delaware, and having a place of business located at 900 LONG LAKE ROAD #250, NEW BRIGHTON, MINNESOTA 55112 (hereinafter "ASSIGNOR"), owns rights in the United States patents and patent applications described on the attached Exhibit A (hereinafter the "Patents");

AND, WHEREAS, CYBERONICS, INC., a limited liability company organized under the laws of the State of <sup>Delaware</sup> ~~Georgia~~, and having a place of business located at 100 Cyberonics Blvd. Houston, TX (hereinafter "ASSIGNEE"), is desirous of acquiring the rights in ASSIGNOR's Patents;

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) or the equivalent thereof, and other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, ASSIGNOR, effective this 13<sup>th</sup> day of September 2013, does hereby sell, assign and transfer unto said ASSIGNEE, and ASSIGNEE hereby accepts, ASSIGNOR's entire right, title and interest in the Patents, further including any provisionals upon which the Patents are based, further including any divisionals, renewals, substitutes, continuations, continuation-in-parts, reexaminations and reissue applications, based in whole or in part on Patents, and in and to any and all United States letters patent, including extensions thereof, which have been or may be granted on any of the Patents; the aforementioned assignment from ASSIGNOR to ASSIGNEE includes all rights to enforce any enforceable rights under said patents or applications, including the right to any relief in equity or at law, including the right to any past damages and any future damages;

AND ASSIGNOR does hereby authorize and request the Director of the United States Patent and Trademark Office to issue any and all United States letters patent which may be granted upon said United States applications to said ASSIGNEE.

APNEX MEDICAL, INC.

Date: September 13, 2013

By: R. Atkinson

Name: Robert E. Atkinson

Title: President

CYBERONICS, INC.

Date: September 13, 2013

By: D. J. Moore

Name: Daniel J. Moore

Title: President and Chief Executive Officer

Legal Approval

(Initial/Date)

**EXHIBIT A**

3024232 v.1

Schedule A

Patents and Patent Applications

Application No.; Patent No.
60/685,513
60/717,337
60/851,386
60/918,257
61/204,008
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CA App. No. 2,666,529
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EP App. No. 09156969.9
EP Pat. No. 2 116 274

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EP App. No. 12163791.2
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12/650,045
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13/106,460
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