## 504512507 08/21/2017 PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 EPAS ID: PAT4559212

SUBMISSION TYPE:		NEW ASSIGNMENT			
NATURE OF CONVEY	ANCE:	ASSIGNMENT			
CONVEYING PARTY	DATA				
		Name	Execution Date		
PHYGEN, LLC			03/22/2017		
ECEIVING PARTY D	ΑΤΑ				
Name:	AURORA	SPINE, INC.			
Street Address:	1920 PAL	OMAR POINT WAY			
City:	CARLSBA	ND			
 State/Country:	CALIFORI	NIA			
Postal Code:	92008				
		Number			
Property Typ					
Application Number: Patent Number:		151336 87016			
CORRESPONDENCE	DATA				
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#### PATENT ASSIGNMENT AGREEMENT

This Patent Assignment Agreement (this "Assignment") is dated as of March 22, 2017 (the "Effective Date"), and is entered into between Phygen, LLC., a California limited liability company having its place of business at 2301 Dupont Drive, Suite 110 Irvine, California 92612 ("Assigner"), and Aurora Spine, Inc., a Nevada corporation having its place of business at 1920 Palomar Point Way, Carlsbad CA 92008 ("Assignee").

WHEREAS, Assignor is the owner of the entire right, title and interest in and to the patents and patent applications disclosed in Schedule A ("Assigned IP");

WHEREAS, Assignce desires to acquire the entire right, title and interest in and to the Assigned IP and improvements thereto; and

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

Assignor hereby sells, assigns, transfers and sets over to Assignee and its successors, assigns and other legal representatives the entire right, title and interest in and to the Assigned IP, including for clarity, the right (a) to claim priority to and from the Assigned IP, (b) in and to each and every application that is a divisional, substitution, continuation, or continuation-in-part of any of the Assigned IP, (c) in and to each and every reissue, reexamination, renewal or extension of any kind of any of the foregoing, and (c) in and to each and every patent and application filed outside the United States and corresponding to any of the foregoing now or hereafter in effect, for Assignee's own use and enjoyment, and for the use and enjoyment of Assignee's successors, assigns or other legal representatives, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made.

Assignor authorizes and requests the United States Commissioner of Patents and Trademarks and any other applicable government authority to record Assignee as the assignee and owner of the Assigned IP, and issue any and all registrations thereon to Assignee, as assignee of the entire right, title and interest in, to and under the same, for the sole use and enjoyment of Assignee and its successors, assigns or other legal representatives.

This Assignment will be governed in all respects, whether as to validity, construction, capacity, performance or otherwise, by the laws of the State of Delaware without reference to its conflicts of law provisions. If any term or provision of this Assignment will, to any extent or for any reason, be held to be invalid or unenforceable, the remainder of this Assignment will not be affected thereby and will be construct as if such invalid or unenforceable provision had never been contained herein or been applicable in such circumstances. This Assignment may not be amended unless mutually agreed upon in writing by both Assignee and Assignor.

[The remainder of the page left blank intentionally; signature page follows]

IN WITNESS WHEDEOF Assignation bas caused this Assignment to be duly assorted as of the date first above

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written.	Caused ans Assignment to be dairy decented as of the date first above
1	
Date: 3 2017	
	Thomas Gardner, President
	Phygen, LLC.
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State of California)	
County of OV CAVELAN	
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Date personally appeared	Here Insert Name and Title of the Officer
Thomas Gardy	221
	Name(s) of Signer(s)
executed the same in higher/their authorized capacity(hig), and that h	(A) whose name (A) is are subscribed to the within instrument and acknowledged to me that the the the boots by by further signature (A) on the instrument the person (A), or the entity upon behalf of which the
personite) acted, executed the instrument.	I certify under PENALTY OF PERJURY
and the second	under the laws of the State of California M. C. MILLER
t de la companya de l	M. C. MILLEN X that the foregoing paragraph is true and NOTARY PUBLIC - CALIFORNIA Correct. COMMISSION #2181042
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Place Notary Seal Above	<b>;</b>
Date:, 2017	
	Trent Northcutt, President Aurora Spine, Inc.
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State of )	
County of )	
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Date personally appeared	Here Insert Name and Title of the Officer
	Name(s) of Signer(s)
	(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the
	I certify under PENAL TY 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

-2-

Signature of Notary Public

Place Notary Seal Above

IN WITNESS WHEREOF, Assignor has caused this Assignment to be duly executed as of the date first above written.

Date:	,2017		
		Thomas Gardner, Pre Phygen, LLC.	
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Plac		OFFICIAL SEAL Und DAREN VASS THE DIARY PUBLIC-CALIFORNIA COMM. NO. 2087484 THE SAN DIEGO COUNTY	nity under PENALTY OF PERDIRY er the laws of the State of California (the foregoing jampraph is true and exer.) (PESS my handband efficial seal. nature Significant of Solary Public
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# Schedule A

Title	Country	Filing Date	App. Number	Patent Number	Status
EXPANDABLE INTERSPINOUS DEVICE	US	06-17-2011	61/498,354	N/A	Expired
EXPANDABLE INTERSPINOUS DEVICE	US	08-12-2012	61/515,541	N/A	Expired
EXPANDABLE INTERSPINOUS DEVICE	US	06-18-2012	13/526,277	N/A	Abandoned
EXPANDABLE INTERSPINOUS DEVICE	US	02-06-2013	13/761,031	9,387,016	Issued
EXPANDABLE INTERSPINOUS DEVICE	US	05-10-2016	15/151,336	N/A	Pending

IN WITNESS WHEREOF, Assignor has caused this Assignment to be duly executed as of the date first above

written.

Date: 3 a A .2017

Thomas Gardner, President Phygen, LLC.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California County of AVAC Data before me, M. C. N Data	niller, Notary Bublic Here Insert Name and Title of the Officer
personally appeared Thormas Gardner	
· · · · · · · · · · · · · · · · · · ·	Nome(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person() whose name() (show subscribed to the within instrument and acknowledged to me that he business executed the same in higher states authorized capacity() s), and that by (inductive) on the instrument the person(), 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 seat

Signatur Egulature of Notary Public

Place Notary Seol Above

#### RECEIVED AND AGREED TO BY ASSIGNEE:

Date:\_\_\_\_\_, 2017

Trent Northcutt, President Aurora Spine, Inc.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the trathfulness, accuracy, or validity of that document.

State of	
Date	Here Insert Name and Ti
personally appeared	

tle of the Officer

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is one 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.

Name(s) of Signer(s)

J 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

Signature of Notory Public

Place Notary Seal Above

## <u>Schedule A</u>

Title	Country	Filing Date	App. Number	Patent Number	Status
EXPANDABLE INTERSPINOUS DEVICE	US	06-17-2011	61/498,354	.N/A	Expired
EXPANDABLE INTERSPINOUS DEVICE	US	08-12-2012	61/515,541	N/A	Expired
EXPANDABLE INTERSPINOUS DEVICE	US	06-18-2012	13/526,277	N/A.	Abandoned
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EXPANDABLE INTERSPINOUS DEVICE	US	05-10-2016	15/151,336	N/A	Pending

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first set forth above.

Aurora Spine, Inc.,

BY: NAME: Mr. Trent Northcutt TITLE: President

Phygen, LLC BY: ~ and the second

NAME: Mr. Tom Gardner TITLE: President

**RECORDED: 08/21/2017**