

05-26-1999

D



RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

101045327

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

5.10.99

1. Name of conveying party(ies):
Saint Francis Medical Technologies, LLC

Individual(s) Association
 General Partnership Limited Partnership
 Corporation - State Nevada
 Other _____

Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies):

Name: Saint Francis Medical Technologies, Inc.

Address: 1900 Bates Avenue, Suite L
Concord, CA 94520

Individual(s) Citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation - State Nevada
 Other _____

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
(Designation must be a separate document from Assignment.)
Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: May 5, 1999

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)
75/577,522

B. Trademark Registration No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Sheldon R. Meyer

Address: Fliesler, Dubb, Meyer & Lovejoy LLP

Four Embarcadero Center, Suite 400

San Francisco, CA 94111

Telephone: (415) 362-3800

6. Total Number of applications and registrations involved: 1

(\$40 first mark per document; \$25 second and subsequent marks in same document.)

7. Total fee (37 CFR 3.41).....\$ 40.00

Check Enclosed

8. Authorized to charge any additional fees or credit any overpayment to Deposit Account No. 06-1325. (A duplicate copy of this authorization is **not** enclosed.)

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.

Sheldon R. Meyer
Attorney or Agent [Signature] Signature
Reg. No. 27,660

May 6, 1999
Date

10. Total number of pages comprising cover sheet: 2

Attorney Docket No.: KLYC 1023 SRM
srm/klyc/assign.04

315.00/03105
05/05/99-0249

TRADEMARK

REEL: 001901 FRAME: 0411

40.00 CP
09000116 75577522
05/06/1999 MTH411 01481

ASSIGNMENT OF TRADEMARK AND GOODWILL

WHEREAS, Saint Francis Medical Technologies, LLC ("Assignor"), a Nevada corporation, organized and existing under the laws of the State of Nevada, having its principal place of business at 1900 Bates Avenue, Suite L, Concord, CA 94520, is the owner of all right, title and interest in and to the following trademark:

| | |
|--------------------------|---|
| Mark: | X-STOP |
| U.S. Serial #/Filed Date | 75/577,522 October 27, 1998 |
| Goods | Surgical implant for use in treatment of spinal stenosis and other spinal ailments; all in Int'l Class 10 |
| Atty Docket #: | KLYC 1023 SRM |

and the goodwill associated therewith for use with the above goods for the territory of the United States; and

WHEREAS, St. Francis Medical Technologies, Inc. ("Assignee"), a Nevada corporation, having a business address of 1900 Bates Avenue, Suite L, Concord, CA 94520, is desirous of acquiring all right, title and interest in and to the above trademark for the above specified goods and the above specified territory, along with the goodwill of the business and the business associated with said trademark;

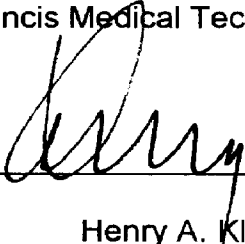
NOW, THEREFORE, for goods and valuable consideration, the receipt of which is hereby acknowledged, Assignor hereby sells, transfers, conveys and assigns unto Assignee, its entire right, title and interest in and to the above trademark and application therefor, and the goodwill of the business and the business in connection with said trademark for the above identified goods and the above identified territory, all effective as of January 20, 1999.

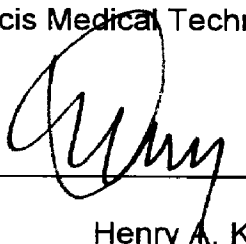
ASSIGNOR

ASSIGNEE

Saint Francis Medical Technologies, LLC

St. Francis Medical Technologies, Inc.

By: 
Name: Henry A. Klyce

By: 
Name: Henry A. Klyce

Title: Manager

Title: President