

Form PTO-1594 (Rev. 07/05)
OMB Collection 0651-0027 (exp. 6/30/2008)

U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies):

ST. FRANCIS MEDICAL TECHNOLOGIES, INC.

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

Citizenship (see guidelines) _____

Additional names of conveying parties attached? Yes No

3. Nature of conveyance /Execution Date(s) :

Execution Date(s) November 27, 2007

- Assignment
- Security Agreement
- Other _____
- Merger
- Change of Name

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? Yes No

Name: KYPHON INC.

Internal Address: _____

Address: _____

Street Address: 1221 Crossman Avenue

City: Sunnyvale

State: California

Country: USA Zip: 94089

- Association
 - General Partnership
 - Limited Partnership
 - Corporation
 - Other _____
- Citizenship _____

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
(Designations must be a separate document from assignment)

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s)
see attached

B. Trademark Registration No.(s)
see attached

Additional sheet(s) attached? Yes No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):
see attached

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

Name: Warren Haines II, Principal Patent Counsel

Internal Address: _____

Street Address: 2600 Sofamor Danek Drive

City: Memphis

State: TN Zip: 38132

Phone Number: (901)399-2898

Fax Number: (901)399-3040

Email Address: memipdocketing@medtronjg.com

6. Total number of applications and registrations involved:

14

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 560.00

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 132546

Authorized User Name Warren Haines II

9. Signature:



Signature

2/25/08

Date

Warren Haines II, 40932



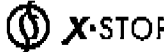

Name of Person Signing

Total number of pages including cover sheet, attachments, and document:

7

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to: Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

Exhibit A

	MARK	APPLICATION/ REGISTRATION NO.
1.	<u>ADDING LIFE TO LATER YEARS. NOT JUST YEARS TO LATER LIFE</u>	Application No. 78/146,298 Registration No. 2,734,845
2.	FLEX STOP	Application No. 78/909,983
3.	IPD	Application No. 76/162,259 Registration No. 2,681,697
4.	<u>SF Logo</u> 	Application No. 76/134,229 Registration No. 2,608,114
5.	<u>SF Logo</u> 	Application No. 75/921,686 Registration No. 2,625,825
6.	<u>SF X.STOP Logo</u> 	Application No. 76/423,052 Registration No. 2,695,630
7.	<u>SF X.STOP PK Logo</u> 	Application No. 78/396,720 Registration No. 3,121,587
8.	<u>SFMT</u>	Application No. 76/391,673

	MARK	APPLICATION/ REGISTRATION NO.
		Registration No. 3,083,141
9.	<u>ST. FRANCIS MEDICAL TECHNOLOGIES</u>	Application No. 76/423,050 Registration No. 2,713,317
10.	<u>STENX</u>	Application No. 75/884,520 Registration No. 2,607,948
11.	X STOP	Application No. 76/423,053 Registration No. 2,695,631
12.	X STOP PK	Application No. 78/395,720 Registration No. 3,151,655
13.	X.STOP Logo X-STOP	Application No. 76/423,051 Registration No. 2,695,629
14.	X-STOP	Application No. 75/577,522 Registration No. 2,457,911

Delaware

PAGE 1

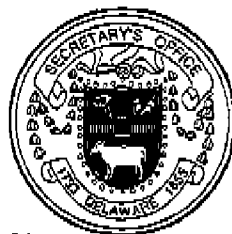
The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"ST. FRANCIS MEDICAL TECHNOLOGIES, INC.", A DELAWARE CORPORATION,

WITH AND INTO "KYPHON INC." UNDER THE NAME OF "KYPHON INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-EIGHTH DAY OF NOVEMBER, A.D. 2007, AT 9:43 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



2367517 8100M

071259923

You may verify this certificate online
at corp.delaware.gov/authver.shtml

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 6192010

DATE: 11-28-07

TRADEMARK
REEL: 003726 FRAME: 0600

State of Delaware
Secretary of State
Division of Corporations
Delivered 09:43 AM 11/28/2007
FILED 09:43 AM 11/28/2007
SRV 071259923 - 2367517 FILE

CERTIFICATE OF OWNERSHIP AND MERGER
MERGING
ST. FRANCIS MEDICAL TECHNOLOGIES, INC., A DELAWARE CORPORATION
INTO
KYPHON INC., A DELAWARE CORPORATION

*Pursuant to Section 253
of the General Corporation Law of the State of Delaware*

November 27, 2007

Kyphon Inc., a corporation organized and existing under and by virtue of the laws of the State of Delaware (the "Parent Corporation"),

DOES HEREBY CERTIFY:

FIRST: That the Parent Corporation was incorporated pursuant to the General Corporation Law of the State of Delaware (the "DGCL").

SECOND: That the Parent Corporation owns all of the outstanding shares of each class of the capital stock of St. Francis Medical Technologies, Inc., a Delaware corporation (the "Subsidiary Corporation").

THIRD: That the Parent Corporation, by the following resolutions of its Board of Directors, duly adopted as of November 26, 2007, determined to merge the Subsidiary Corporation into itself, with the Parent Corporation being the surviving corporation:

RESOLVED, that pursuant to Section 253 of the DGCL, the Subsidiary Corporation shall be merged (the "Merger") with and into the Parent Corporation, whereupon the separate existence of the Subsidiary Corporation shall cease, and the Parent Corporation shall be the surviving corporation;

RESOLVED, that the Merger is hereby approved pursuant to the provisions of Section 253 of the DGCL;

RESOLVED, that the Merger shall become effective upon filing of the Certificate of Ownership and Merger with the Delaware Secretary of State or at such time as is otherwise specified therein;

RESOLVED, that from and after the effective time, until successors are duly elected or appointed in accordance with applicable law, the directors of the Parent Corporation at the effective time shall be the directors of the surviving corporation, and the officers of the Parent Corporation at the effective time shall be the officers of the surviving corporation;

RESOLVED, that from and after the effective time, the name of the surviving corporation shall be Kyphon Inc.;

RESOLVED, that from and after the effective time, the bylaws of the Parent Corporation shall be the bylaws of the surviving corporation;

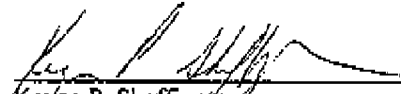
RESOLVED, that from and after the effective time, the certificate of incorporation of the Parent Corporation shall be the certificate of incorporation of the surviving corporation until amended in accordance with applicable law.

FOURTH: That the merger of the Subsidiary Corporation into the Parent Corporation shall be effective as of the date and time of filing of this Certificate of Ownership and Merger with the Delaware Secretary of State.

(This space intentionally left blank.)

IN WITNESS WHEREOF, the Parent Corporation has caused this Certificate of Ownership and Merger to be signed as of the date first written above by a duly authorized officer, declaring that the facts stated herein are true.

KYPHON INC., a Delaware corporation

By: 
Name: Keyna P. Skeffington
Title: Assistant Secretary