

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

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|----------------------------------|--|-----------------------|-----------------------|
| SUBMISSION TYPE: | NEW ASSIGNMENT | | |
| NATURE OF CONVEYANCE: | ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL | | |
| CONVEYING PARTY DATA | | | |
| Name | Formerly | Execution Date | Entity Type |
| Oratec Interventions, Inc. | | 04/07/2010 | CORPORATION: DELAWARE |
| RECEIVING PARTY DATA | | | |
| Name: | NeuroTherm, Inc. | | |
| Street Address: | 30 Upton Drive, Suite 2 | | |
| City: | Wilmington | | |
| State/Country: | MASSACHUSETTS | | |
| Postal Code: | 01887 | | |
| Entity Type: | CORPORATION: DELAWARE | | |
| PROPERTY NUMBERS Total: 2 | | | |
| Property Type | Number | Word Mark | |
| Registration Number: | 2398791 | SPINECATH | |
| Registration Number: | 2411541 | ELECTROTHERMAL | |
| CORRESPONDENCE DATA | | | |
| Fax Number: | (202)857-6395 | | |
| | <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i> | | |
| Phone: | 202-857-6000 | | |
| Email: | resnick.adam@arentfox.com | | |
| Correspondent Name: | Adam D. Resnick | | |
| Address Line 1: | Arent Fox LLP, 1050 Connecticut Ave. NW | | |
| Address Line 4: | Washington, DISTRICT OF COLUMBIA 20036 | | |
| ATTORNEY DOCKET NUMBER: | 030891.00003 | | |
| NAME OF SUBMITTER: | Adam D. Resnick | | |
| Signature: | /Adam D. Resnick/ | | |
| Date: | 05/04/2010 | | |

OP \$65.00 2398791

Total Attachments: 3

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ASSIGNMENT OF TRADEMARKS

THIS ASSIGNMENT OF TRADEMARKS is entered this 7th day of April, 2010, by Oratec Interventions, Inc., a Delaware corporation with offices at 150 Minuteman Road, Andover, Massachusetts 01810 ("Assignor") for the benefit of NeuroTherm, Inc. a Delaware corporation with offices at 30 Upton Drive, Suite 2, Wilmington, Massachusetts 01887 ("Assignee").

WHEREAS, Assignor and Assignee are parties to a certain Asset Purchase Agreement dated as of April 7, 2010 (the "Purchase Agreement"), pursuant to which Assignee has agreed to purchase certain assets of Assignor, and Assignor has agreed to cause the same to be transferred, assigned and contributed to Assignee;

WHEREAS, Assignor owns all right, title and interest in and to the trademarks listed on Schedule A, attached hereto and incorporated herein (the "Marks"); and

WHEREAS, pursuant to the Purchase Agreement, Assignor desires to assign and transfer to Assignee all of Assignor's right, title and interest in and to the Marks, and Assignee is desirous of acquiring the same;

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

1. Assignor, as beneficial owner, does hereby assign, sell and transfer to Assignee all of its right, title and interest in and to the Marks, together with the goodwill of the business symbolized by the Marks, the right to sue and recover damages for past, present and future infringement thereof, the registrations and applications for registration therefore, and all the benefits of the Marks. Assignor does further consent to the recordation of this assignment by Assignee with the United States Patent and Trademark Office or any similar foreign governmental agency. The parties acknowledge and agree that their respective rights and remedies arising out of or relating to this Assignment of Trademarks are set forth exclusively in the Purchase Agreement.

2. Assignor hereby covenants and agrees to and with Assignee, its successors and assigns, to do, execute, acknowledge and deliver to, or to cause to be done, executed, acknowledged and delivered to, Assignee, its successors and assigns, all such further acts, deeds, assignments, transfers, conveyances, limited powers of attorney and assurances that may be reasonably requested by Assignee for the better selling, assigning, transferring, conveying and delivering to Assignee, its successors or assigns, any or all of the Marks in accordance with the Purchase Agreement.

IN WITNESS WHEREOF, Assignor has executed this Assignment of Trademarks as of the date first written above.

ORATEC INTERVENTIONS, INC.

By: *Robert A. Lucas*

Name: Robert A. Lucas

Title: Assistant Secretary

STATE OF OHIO

COUNTY OF SUMMIT

On this 7th day of April, 2010, before me appeared Robert A. Lucas, the person who signed this instrument on behalf of Oratec Interventions, Inc., who acknowledged that he signed it on behalf of the identified corporation as the Assistant Secretary of the identified corporation and pursuant to authority duly received.

Jo Ann Maupin
Notary Public

My Commission Expires:

10-15-2010

Jo Ann Maupin
Resident Summit County
Notary Public, State of Ohio
My Commission Expires: 10/15/10

| Schedule 2.1d Trademarks | Country | Trademark | App. No. | Publ. Date | Reg. No. | Reg. Date | Owner | Class and Services |
|--------------------------|--------------------------|--|-------------------------|-----------------------|--------------------------|-------------|--|--|
| | Australia | ACUTHERM | 1017430 | 25-AUG-2004 | 1017430 | 25-AUG-2004 | Smith & Nephew, Inc. 1450 Brooks Road Memphis TN 38116 | Class 10: Surgical, medical, dental and veterinary apparatus and instruments; spinal decompression catheters, elastic, suspensory and support bandages and stockings; bandages for joints, gloves for medical and surgical use, surgical sponges and sponges, artificial limbs, eyes and teeth; orthopaedic articles, suture materials |
| | Canada | ACUTHERM | 122808100 | 24-AUG-2004 | TMA646081 | 18-Aug-2005 | Smith & Nephew, Inc. 1450 Brooks Road Memphis TN 38116 | Spinal decompression catheters |
| | Canada | IDET | 102892100 | 15-Sep-1999 | TMA589376 | 10-Sep-2003 | Oratec Interventions, Inc. 3700 Haven Court Menlo Park, CA 94025 | Medical instruments and apparatus, namely catheters, probes, surgical blades and burs, surgical instruments for the application of heat to the spine, and in particular, to the intervertebral discs. |
| | Canada | SPINECATH | 100653300 | 23-Mar-1999 | TMA560566 | 23-Apr-2002 | Oratec Interventions, Inc. 3700 Haven Court Menlo Park, CA 94025 | Medical devices, namely catheters and probes. |
| | China | IDET | 1535432 | 30-Sep-1999 | 1535432 | 7-Mar-2001 | Oratec Interventions, Inc. | Class 10: Surgical and veterinary apparatus and instruments (not include electrical ones and medical X-ray equipments) Dental apparatus and instruments Medical electrical equipments, electrotherapy and X-ray equipments |
| | China | SPINECATH | 1442265 | 23-Mar-1999 | 1442265 | 7-Sep-2000 | Oratec Interventions, Inc. | Class 10: Surgical and veterinary apparatus and instruments (not include electrical ones and medical X-ray equipments) Dental apparatus and instruments Medical electrical equipments, electrotherapy and X-ray equipments |
| | CTM (European Community) | ACUTHERM | 3895404 | 24-AUG-2004 | 3895404 | 7-Dec-2005 | Smith & Nephew, Inc. 1450 Brooks Road Memphis TN 38116 | Class 10: Surgical, medical, dental and veterinary apparatus and instruments; spinal decompression catheters, elastic, suspensory and support bandages and stockings; bandages for joints; gloves for medical and surgical use, surgical sponges and sponges; artificial limbs, eyes and teeth; orthopaedic articles; suture materials |
| | CTM (European Community) | ELECTROTHERMAL 805 | 8893822 | 2-Feb-2010 | | | Smith & Nephew, Inc. 1450 Brooks Road Memphis TN 38116 | Class 10: Radio frequency generators for medical use, catheters, probes |
| | CTM (European Community) | IDET | 1306386 | 14-Sep-1999 | 1306386 | 12-Dec-2001 | Oratec Interventions, Inc. 3700 Haven Court Menlo Park, CA 94025 | Class 10: Medical instruments and medical apparatus, namely catheters, probes, cutting instruments and heating instruments. Class 42: Medical services, namely arthroscopy, surgical and spinal treatments. |
| | CTM (European Community) | SPINECATH | 1114693 | 23-Mar-1999 | 1114693 | 25-JUL-2000 | Oratec Interventions, Inc. 3700 Haven Court Menlo Park, CA 94025 | Class 05: Pharmaceutical products. Class 10: Medical devices, namely catheters and probes. Class 42: Medical services; medical counseling; medical research; medical testing; and health care services. |
| | Japan | ACUTHERM | 2004-070439 | 25-AUG-2004 | 4852094 | 01-APR-2005 | Smith & Nephew, Inc. 1450 Brooks Road Memphis TN 38116 | Class 10: Medical apparatus |
| | Japan | IDET | H11-082668 | 14-Sep-1999 | 4417533 | 14-Sep-2000 | Oratec Interventions, Inc. Menlo Park, CA | Class 10: Medical apparatus and instruments |
| | Japan | SPINECATH | H11-024626 | 23-Mar-1999 | 4363724 | 18-May-2000 | Oratec Interventions, Inc. Menlo Park, CA | Class 10: Medical apparatus and instruments |
| | South Korea | IDET | 40-2001-0000524 | 6-Jan-2001 | 4005309920000 | 28-Sep-2002 | Oratec Interventions, Inc. Menlo Park, CA | Class 10: healing instruments, cutting instruments, probes; catheters |
| | South Korea | SPINECATH | 40-2001-0000525 | 6-Jan-2001 | 4005309930000 | 26-Sep-2002 | Oratec Interventions, Inc. Menlo Park, CA | Class 10: Medical devices, catheters and probes. |
| | Taiwan | IDET | TW-0753-11311 -TW-NF | | 943236 | 1-Jun-2001 | [Need to confirm Oratec Interventions, Inc.] | Class 10: Medical catheters and probes. |
| | Taiwan | SPINECATH | TW-1635-11289 -TW-NF | | 671865 | 15-Oct-1998 | [Need to confirm Oratec Interventions, Inc.] | Class 10: Medical devices, catheters and probes. |
| | U.S. | ACUTHERM | 78472707 | 24-AUG-2004 | 3278322 | 07-AUG-2007 | Smith & Nephew, Inc. 1450 Brooks Road Memphis TN 38116 | Class 10: Medical device, namely a catheter which utilizes thermal energy for focal decompression of contained herniated disc |
| | U.S. | ELECTROTHERMAL (Supplemental Register) | 76741835 | 18-Jun-1999 | 2411541 | 5-Dec-2000 | Oratec Interventions, Inc. 3700 Haven Court Menlo Park, CA 94025 | Class 10: Medical instruments and apparatus, namely, catheters, and probes |
| | U.S. | ELECTROTHERMAL 805 | 77926841 | 3-Feb-2010 | | | Smith & Nephew, Inc. 1450 Brooks Road Memphis TN 38116 | Class 10: Medical instruments and apparatus, namely, radio frequency generators for medical use, catheters, and probes |
| | U.S. | SPINECATH (Supplemental Register) | 75558713 | 23-Sep-1998 | 2396791 | 24-Oct-2000 | Oratec Interventions, Inc. 3700 Haven Court Menlo Park, CA 94025 | Class 10: Medical devices, namely catheters and probes. |
| | | Domain Name discoveridat.com idetprocedure.com | | Expiry 19-Dec-2017 | Registrar Godaddy.com | | | |
| | | | | 19-Dec-2014 | Godaddy.com | | | |