

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM413480

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	SECURITY INTEREST		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
SPINAL KINETICS, INC.		01/23/2017	Corporation: DELAWARE
RECEIVING PARTY DATA			
Name:	NH EXPANSION CREDIT FUND HOLDINGS LP		
Street Address:	1585 BROADWAY, 37TH FLOOR		
City:	NEW YORK		
State/Country:	NEW YORK		
Postal Code:	10036		
Entity Type:	Limited Partnership: DELAWARE		
PROPERTY NUMBERS Total: 5			
Property Type	Number	Word Mark	
Serial Number:	86807747	SINTX	
Registration Number:	3131149	MOTION FOR LIFE	
Registration Number:	3764789	M6L	
Registration Number:	3643487	M6C	
Registration Number:	3547447	M6	
CORRESPONDENCE DATA			
Fax Number:	8585506420		
<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>			
Phone:	858-550-6433		
Email:	jmfitzpatrick@cooley.com		
Correspondent Name:	JENNIFER FITZPATRICK		
Address Line 1:	C/O COOLEY LLP		
Address Line 2:	4401 EASTGATE MALL		
Address Line 4:	SAN DIEGO, CALIFORNIA 92121		
ATTORNEY DOCKET NUMBER:	136453-196 Spinal		
NAME OF SUBMITTER:	JENNIFER FITZPATRICK		
SIGNATURE:	/JENNIFER FITZPATRICK/		
DATE SIGNED:	01/24/2017		

CH \$140.00 86807747

Total Attachments: 18

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INTELLECTUAL PROPERTY SECURITY AGREEMENT

This Intellectual Property Security Agreement is entered into as of January 23, 2017 by and between NH EXPANSION CREDIT FUND HOLDINGS LP, a Delaware limited partnership ("Holder") and SPINAL KINETICS, INC., a Delaware corporation ("Grantor").

RECITALS

A. Grantor has issued to Holder that certain Secured Promissory Note dated of even date herewith (as the same may be amended, modified or supplemented from time to time, the "Secured Note"; capitalized terms used herein are used as defined in the Secured Note).

B. Pursuant to the terms of the Secured Note, Grantor has granted to Holder a security interest in all of Grantor's right, title and interest, whether presently existing or hereafter acquired, in, to and under all of the Collateral.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, and intending to be legally bound, as collateral security for the prompt and complete payment when due of its obligations under the Secured Note and all other agreements now existing or hereafter arising between Grantor and Holder, Grantor hereby represents, warrants, covenants and agrees as follows:

AGREEMENT

To secure its obligations under the Secured Note and under any other Note Document now existing or hereafter arising between Grantor and Holder, Grantor grants and pledges to Holder a security interest in all of Grantor's right, title and interest in, to and under its Intellectual Property constituting Collateral (including without limitation those Copyrights, Patents and Trademarks listed on Exhibits A, B and C hereto), and including without limitation all proceeds thereof (such as, by way of example but not by way of limitation, license royalties and proceeds of infringement suits), the right to sue for past, present and future infringements, all rights corresponding thereto throughout the world and all re-issues, divisions continuations, renewals, extensions and continuations-in-part thereof.

This security interest is granted in conjunction with the security interest granted to Holder under the Secured Note. The rights and remedies of Holder with respect to the security interest granted hereby are in addition to those set forth in the Secured Note and the other Note Documents, and those which are now or hereafter available to Holder as a matter of law or equity. Each right, power and remedy of Holder provided for herein or in the Secured Note or any of the Note Documents, or now or hereafter existing at law or in equity shall be cumulative and concurrent and shall be in addition to every right, power or remedy provided for herein and the exercise by Holder of any one or more of the rights, powers or remedies provided for in this Intellectual Property Security Agreement, the Secured Note or any of the other Note Documents, or now or hereafter existing at law or in equity, shall not preclude the simultaneous or later exercise by any person, including Holder, of any or all other rights, powers or remedies.

Grantor represents and warrants that Exhibits A, B, and C attached hereto set forth any and all intellectual property rights in connection to which Grantor has registered or filed an application with either the United States Patent and Trademark Office or the United States Copyright Office, as applicable.

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute the same instrument.

IN WITNESS WHEREOF, the parties have caused this Intellectual Property Security Agreement to be duly executed by its officers thereunto duly authorized as of the first date written above.


GRANTOR:

Address of Grantor:

501 Mercury Drive
Sunnyvale, CA 94085

Attn: Chief Financial Officer

SPINAL KINETICS, INC.

By: 
Name: Michael J. Gandy
Title: Chief Financial Officer

HOLDER:

Address of Holder:

1585 Broadway, 37th Floor
New York, NY 10036

Attn: Debra Abramovitz

NH EXPANSION CREDIT FUND HOLDINGS LP

By: MS Expansion Credit GP L.P., its general partner
By: MS Expansion Credit GP Inc., its general partner

By: _____
Name: _____
Title: _____

IN WITNESS WHEREOF, the parties have caused this Intellectual Property Security Agreement to be duly executed by its officers thereunto duly authorized as of the first date written above.

GRANTOR:

Address of Grantor:

501 Mercury Drive
Sunnyvale, CA 94085

Attn: Chief Financial Officer

SPINAL KINETICS, INC.

By: _____
Name: _____
Title: _____

HOLDER:

Address of Holder:

1585 Broadway, 37th Floor
New York, NY 10036

Attn: Debra Abramovitz

NH EXPANSION CREDIT FUND HOLDINGS LP

By: MS Expansion Credit GP L.P., its general partner
By: MS Expansion Credit GP Inc., its general partner

By: WTR
Name: WILLIAM T. REYNOLDS
Title: MANAGING DIRECTOR

EXHIBIT A

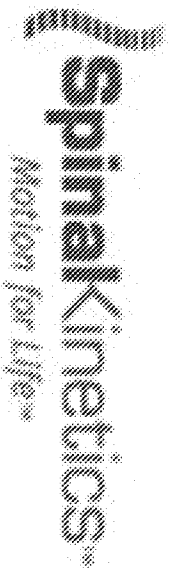
Copyrights

None.

EXHIBIT B

Patents

See attached.



United States Issued Patents

Title	Serial No.	Filing Date	Patent No.	Issue Date	Status
PROSTHETIC INTERVERTEBRAL DISC AND METHODS FOR USING THE SAME	10/632,538	8/1/2003	7,153,325	12/26/2006	ISSUED
PROSTHETIC INTERVERTEBRAL DISCS	11/281,205	11/15/2005	7,731,753	6/8/2010	ISSUED
PROSTHETIC FACET AND FACET JOINT REPLACEMENT DEVICE	11/529,849	11/29/2006	7,803,189	9/28/2010	ISSUED
PROSTHETIC INTERVERTEBRAL DISCS ASSEMBLIES HAVING COMPRESSIBLE CORE ELEMENTS WITH ENHANCED TORQUE TRANSMISSION	11/674,686	2/14/2007	7,887,592	2/15/2011	ISSUED
PROSTHETIC INTERVERTEBRAL DISC	10/903,276	7/30/2004	7,905,921	3/15/2011	ISSUED
METHOD AND A KIT FOR INSERTING PROSTHETIC INTERVERTEBRAL DISCS INTO A SPINE	11/968,184	1/1/2008	8,038,715	10/18/2011	ISSUED
PROSTHETIC INTERVERTEBRAL DISCS HAVING EXPANDABLE CORES THAT ARE IMPLANTABLE USING MINIMALLY INVASIVE SURGICAL TECHNIQUES	12/060,845	4/1/2008	8,100,978	1/24/2012	ISSUED

Title	Serial No.	Filing Date	Patent No.	Issue Date	Status
TEMPORARILY BOUND PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE SURGICAL TECHNIQUES	12/060,237	3/31/2008	8,361,154	1/29/2013	ISSUED
PROSTHETIC INTERVERTEBRAL DISCS	12/780,704	5/14/2010	8,377,138	2/19/2013	ISSUED
PROSTHETIC INTERVERTEBRAL DISCS HAVING COMPRESSIBLE CORE ELEMENTS BOUNDED BY FIBER-CONTAINING MEMBRANES	11/528,099	9/27/2006	8,403,987	3/26/2013	ISSUED
PROSTHETIC INTERVERTEBRAL DISCS THAT ARE IMPLANTABLE BY MINIMALLY INVASIVE SURGICAL TECHNIQUES AND THAT HAVE CORES THAT ARE INSERTABLE IN SITU USING END PLATE GUIDEWAYS	12/060,850	4/1/2008	8,795,374	8/5/2014	ISSUED
PROSTHETIC INTERVERTEBRAL DISCS HAVING RIGID END PLATES WITH DEPRESSIONS IN THEIR INNER SURFACES AND FIBERS BETWEEN THOSE END PLATES	12/778,928	5/12/2010	8,808,381	8/19/2014	ISSUED
PROSTHETIC INTERVERTEBRAL DISC IMPLANTS	13/563,303	7/31/2012	8,998,989	4/7/2015	ISSUED
INTER SPINOUS PROCESS SPACER WITH COMPRESSIBLE CORE PROVIDING DYNAMIC STABILIZATION	12/266,319	11/6/2008	9,044,278	6/2/2015	ISSUED

Title	Serial No.	Filing Date	Patent No.	Issue Date	Status
PROSTHETIC INTERVERTEBRAL DISCS HAVING CAST END PLATES AND METHODS FOR MAKING AND USING THEM	11/528,175	9/26/2006	9,278,007	3/8/2016	ISSUED
TOOL SYSTEMS FOR IMPLANTING PROSTHETIC INTERVERTEBRAL DISCS	11/529,824	9/28/2006	9,381,098	7/5/2016	ISSUED
PROSTHETIC INTERVERTEBRAL DISCS	11/528,100	9/27/2006	9,364,336	6/14/2016	ISSUED
PROSTHETIC INTERVERTEBRAL DISCS HAVING END PLATES AND AN ANNULAR CAPSULE	13/414,535	3/7/2012	9,364,337	6/14/2016	ISSUED

United States Pending Patent Applications

Title	Serial No.	Filing Date	Status
SPINAL STABILIZATION SYSTEMS AND METHODS	11/234,481 Pub. No.: 2007/0083200 4/12/2007	9/23/2005	Published
PROSTHETIC DISC ASSEMBLY HAVING NATURAL BIOMECHANICAL MOVEMENT	11/966,955 Pub. No.: 2008/0288077 11/20/2008	12/28/2007	Published
PROSTHETIC INTERVERTEBRAL DISCS HAVING SUBSTANTIALLY RIGID END PLATES AND FIBERS BETWEEN THOSE END PLATES	11/968,183 Pub. No.: 2008/0103599 5/1/2008	1/1/2008	Published
PROSTHETIC INTERVERTEBRAL DISCS HAVING BALLOON-BASED FILLABLE CORES THAT ARE IMPLANTABLE BY MINIMALLY INVASIVE SURGICAL TECHNIQUES	12/060,191 Pub. No.: 2009/0076610 3/19/2009	3/31/2008	Published
PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE, POSTERIOR APPROACH, SURGICAL TECHNIQUES	12/060,843 Pub. No.: 2009/0125112 5/14/2009	4/1/2008	Published
SPINAL STABILIZATION DEVICES, SYSTEMS, AND METHODS	12/434,515 Pub. No.: 2010/0280550 11/4/2010	5/1/2009	Published

Title	Serial No.	Filing Date	Status
PROSTHETIC FACET AND FACET JOINT REPLACEMENT DEVICE	12/927,208 Pub. No.: 2011/0093012 4/21/2011	11/8/2010	Published
PROSTHETIC INTERVERTEBRAL DISC.	13/999,777 Pub. No.: 2015/0265415 9/24/2015	3/19/2014	Published
PROSTHETIC INTERVERTEBRAL DISCS	14/999,357 Pub. No.: 2016/0242926 8/25/2016	4/27/2016	Published

United States Expired/Abandoned Patent Applications

Title	Serial No.	Filing Date	Status
PROSTHETIC INTERVERTEBRAL DISCS	60/713,671	9/1/2005	Expired
PROSTHETIC DISC ASSEMBLY HAVING NATURAL BIOMECHANICAL MOVEMENT	60/877,558	12/28/2006	Expired
PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE, POSTERIOR APPROACH, SURGICAL TECHNIQUES (III)	60/909,439	3/31/2007	Expired
PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE, POSTERIOR APPROACH, SURGICAL TECHNIQUES (II)	60/909,443	3/31/2007	Expired
PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE, POSTERIOR APPROACH, SURGICAL TECHNIQUES (I)	60/909,445	3/31/2007	Expired
PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE, POSTERIOR APPROACH, SURGICAL TECHNIQUES (IV)	60/909,448	3/31/2007	Expired
PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE, POSTERIOR APPROACH, SURGICAL TECHNIQUES (V)	60/909,464	3/31/2007	Expired

Title	Serial No.	Filing Date	Status
PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE, POSTERIOR APPROACH, SURGICAL TECHNIQUES (VI)	60/909,466	4/1/2007	Expired
PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE, POSTERIOR APPROACH, SURGICAL TECHNIQUES (VII)	60/909,467	4/1/2007	Expired
PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE, POSTERIOR APPROACH, SURGICAL TECHNIQUES (VIII)	60/909,469	4/1/2007	Expired
PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE, POSTERIOR APPROACH, SURGICAL TECHNIQUES (IX)	60/909,472	4/1/2007	Expired
PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE, POSTERIOR APPROACH, SURGICAL TECHNIQUES (X)	60/909,473	4/1/2007	Expired
PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE, POSTERIOR APPROACH, SURGICAL TECHNIQUES (XI)	60/909,474	4/1/2007	Expired
PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE SURGICAL TECHNIQUES	61/214,668	4/27/2009	Expired

Title	Serial No.	Filing Date	Status
PROSTHETIC INTERVERTEBRAL DISCS	11/218,707 Pub. No.: 2007/0050032 3/1/2007	9/1/2005	Abandoned
PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE SURGICAL TECHNIQUES	11/379,340 Pub. No.: 2007/0270952 11/22/2007	4/19/2006	Abandoned
PROSTHETIC INTERVERTEBRAL DISCS HAVING SUBSTANTIALLY RIGID END PLATES AND FIBERS BETWEEN THOSE END PLATES	11/527,804 Pub. No.: 2007/0168033 7/19/2007	9/26/2006	Abandoned
SPINAL STABILIZATION DEVICE	11/540,044 Pub. No.: 2007/0167947 7/19/2007	9/29/2006	Abandoned
PROSTHETIC INTERVERTEBRAL DISCS	11/968,185 Pub. No.: 2009/0018661 1/15/2009	1/1/2008	Abandoned
METHOD FOR IMPLANTING PROSTHETIC INTERVERTEBRAL DISCS IN A SPINE	11/968,186 Pub. No.: 2008/0172129 7/17/2008	1/1/2008	Abandoned

Title	Serial No.	Filing Date	Status
APPARATUS FOR IMPLANTING PROSTHETIC INTERVERTEBRAL DISCS IN A SPINE	11/968,189 Pub. No.: 2008/0177299 7/24/2008	1/1/2008	Abandoned
PROSTHETIC INTERVERTEBRAL DISCS	11/970,156 Pub. No.: 2010/0114318 5/6/2010	1/7/2008	Abandoned
ALIGNABLE TOOLS FOR PREPARING AN INTERVERTEBRAL SITE FOR IMPLANTING A PROSTHETIC INTERVERTEBRAL DISC AND A METHOD FOR USING THOSE TOOLS	11/970,220 Pub. No.: 20090177195 7/9/2009	1/7/2008	Abandoned
SPINAL STABILIZATION DEVICE	11/970,528 Pub. No.: 2008/0183209 7/31/2008	1/8/2008	Abandoned
PROSTHETIC INTERVERTEBRAL DISCS WITH SLOTTED END PLATES THAT ARE IMPLANTABLE BY MINIMALLY INVASIVE, POSTERIOR APPROACH, SURGICAL TECHNIQUES	12/060,158 Pub. No.: 2009/0076609 3/19/2009	3/31/2008	Abandoned
PROSTHETIC INTERVERTEBRAL DISCS HAVING FOLDING END PLATES THAT ARE IMPLANTABLE BY MINIMALLY INVASIVE SURGICAL TECHNIQUES	12/060,212 Pub. No.: 2009/0069895 3/12/2009	3/31/2008	Abandoned

Title	Serial No.	Filing Date	Status
PROSTHETIC INTERVERTEBRAL DISCS WITH PARTICULATE-CONTAINING CORES THAT ARE IMPLANTABLE BY MINIMALLY INVASIVE SURGICAL TECHNIQUES	12/060,223 Pub. No.: 2009/0069896 3/12/2009	3/31/2008	Abandoned
PROSTHETIC INTERVERTEBRAL DISCS HAVING SUBSTANTIALLY CYLINDRICAL CORES INSERTABLE ALONG THEIR AXES, THAT ARE SUITABLE FOR IMPLANTATION BY MINIMALLY INVASIVE SURGICAL TECHNIQUES	12/060,841 Pub. No.: 2009/0076612 3/19/2009	4/1/2008	Abandoned
EXPANDABLE PROSTHETIC INTERVERTEBRAL DISCS THAT ARE IMPLANTABLE BY MINIMALLY INVASIVE SURGICAL TECHNIQUES	12/060,853 Pub. No.: 2009/0118834 5/7/2009	4/1/2008	Abandoned
PROSTHETIC INTERVERTEBRAL DISCS HAVING ROTATABLE, EXPANDABLE CORES THAT ARE IMPLANTABLE USING MINIMALLY INVASIVE SURGICAL TECHNIQUES	12/060,856 Pub. No.: 2009/0118835 5/7/2009	4/1/2008	Abandoned
	12/110,237	4/25/2008	Abandoned
PROSTHETIC INTERVERTEBRAL DISCS IMPLANTABLE BY MINIMALLY INVASIVE SURGICAL TECHNIQUES	12/768,584 Pub. No.: 2011/0082552 4/7/2011	4/27/2010	Abandoned

Title	Serial No.	Filing Date	Status
PROSTHETIC FACET AND FACET JOINT REPLACEMENT DEVICE	12/789,033 Pub. No.: 2010/0234951 9/16/2010	5/27/2010	Abandoned
	12/925,654	10/26/2010	Abandoned
PROSTHETIC INTERVERTEBRAL DISCS HAVING SUBSTANTIALLY RIGID END PLATES, FIBERS BETWEEN THOSE END PLATES, AND CORE MEMBERS WITH COMPARATIVELY THIN EDGES	12/925,174 Pub. No.: 2011/0040386 2/17/2011	10/16/2010	Abandoned
KIT OF ALIGNABLE TOOLS FOR PREPARING AN INTERVERTEBRAL SITE FOR IMPLANTING A PROSTHETIC INTERVERTEBRAL DISC	12/927,207 Pub. No.: WO 2011/0092976 4/21/2011	11/8/2010	Abandoned
PROSTHETIC LUMBAR DISC ASSEMBLY HAVING NATURAL BIOMECHANICAL MOVEMENT	12/927,211 Pub. No.: 2011/0093076 4/21/2011	11/8/2010	Abandoned
	12/928,961	12/23/2010	Abandoned
	12/928,962	12/23/2010	Abandoned
PROSTHETIC INTERVERTEBRAL DISCS HAVING SUBSTANTIALLY RIGID END PLATES AND FIBERS BETWEEN THOSE END PLATES	12/928,972 Pub. No.: 2011/0106262 5/5/2011	12/23/2010	Abandoned

Title	Serial No.	Filing Date	Status
PROSTHETIC INTERVERTEBRAL DISCS ASSEMBLIES HAVING COMPRESSIBLE CORE ELEMENTS WITH ENHANCED TORQUE TRANSMISSION	12/930,699 Pub. No.: 2011/0144754 6/16/2011	1/13/2011	Abandoned
	13/065,770	3/28/2011	Abandoned
PROSTHETIC INTERVERTEBRAL DISCS	13/374,357 Pub. No.: 2012/0109318 5/3/2012	12/22/2011	Abandoned
	13/374,367	12/22/2011	Abandoned

EXHIBIT C

Trademarks

Description	Registration/ Serial Number	Registration/ Application Date
SINTX	86/807,747	11/03/15
MOTION FOR LIFE	3,131,149	08/15/06
M6L	3,764,789	03/23/10
M6C	3,643,487	06/23/09
M6	3,547,447	12/16/08
SPINAL KINETICS MOTION FOR LIFE - <i>Abandoned</i>	78/879,176	05/08/06
NATURAL LX - <i>Abandoned</i>	78/750,331	11/09/05
NATURAL CX - <i>Abandoned</i>	78/750,313	11/09/05
STRATUS - <i>Abandoned</i>	78/750,287	11/09/05
CIRRUS - <i>Abandoned</i>	78/750,275	11/09/05
SPINAL KINETICS - <i>Abandoned</i>	78/572,438	02/22/05
6 DEGREES OF NATURAL FREEDOM - <i>Abandoned</i>	77/330,824	11/15/07
6° OF NATURAL FREEDOM - <i>Abandoned</i>	77/134,819	03/19/07
M6° - <i>Abandoned</i>	77/115,276	02/23/07
SPINAL KINETICS - <i>Abandoned</i>	77/026,970	10/23/06