

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM870836

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	SECURITY INTEREST		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
MADRYN HEALTH PARTNERS II (CAYMAN MASTER), LP		01/24/2024	Limited Partnership:
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	MADRYN FUND ADMINISTRATION, LLC		
<b>Street Address:</b>	C/O MADRYN ASSET MANAGEMENT, LP		
<b>Internal Address:</b>	330 MADISON AVENUE, 33RD FLOOR		
<b>City:</b>	NEW YORK		
<b>State/Country:</b>	NEW YORK		
<b>Postal Code:</b>	10017		
<b>Entity Type:</b>	Limited Liability Company: DELAWARE		
<b>PROPERTY NUMBERS Total: 3</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	5156324	MAINSTAY MEDICAL	
<b>Registration Number:</b>	5156325	REACTIV8	
<b>Registration Number:</b>	5156326	MAINSTAY	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	7043311159		
<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>			
<b>Phone:</b>	704-331-1000		
<b>Email:</b>	jansnider@mvalaw.com, vangambrell@mvalaw.com		
<b>Correspondent Name:</b>	MOORE & VAN ALLEN PLLC		
<b>Address Line 1:</b>	100 NORTH TRYON STREET, SUITE 4700		
<b>Address Line 2:</b>	ATTN: IP DEPARTMENT		
<b>Address Line 4:</b>	CHARLOTTE, NORTH CAROLINA 28202		
<b>ATTORNEY DOCKET NUMBER:</b>	043094.000030		
<b>NAME OF SUBMITTER:</b>	JAMES VAN CLEAVE GAMBRELL		
<b>SIGNATURE:</b>	/JAMES VAN CLEAVE GAMBRELL/		
<b>DATE SIGNED:</b>	01/24/2024		

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**Total Attachments: 13**

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## NOTICE OF AGENCY ASSUMPTION FOR SECURITY INTEREST IN IP

This NOTICE OF AGENCY ASSUMPTION FOR SECURITY INTEREST IN IP dated as of January 24, 2024 (this “Notice of Agency Assumption”), is made by and among MADRYN HEALTH PARTNERS II (CAYMAN MASTER), LP, a Cayman Islands exempted limited partnership (“Madryn Health”) and MADRYN FUND ADMINISTRATION, LLC, a Delaware limited liability company (“Madryn Fund”).

**WHEREAS**, a credit facility has been established in favor of MML US, Inc., a Delaware corporation (the “Borrower”), pursuant to the terms of that certain Credit Agreement dated as of September 9, 2022 (as amended, restated, amended and restated, modified, supplemented or extended from time to time, the “Credit Agreement”) by and among Mainstay Medical Holdings PLC, an Irish public limited company with company registration number 667520 and registered address at 77 Sir John Rogerson's Quay, Block C, Grand Canal Docklands, Dublin 2, D02 VK60, Ireland, Mainstay Medical International Limited, an Irish private limited company with company registration number 539688 and registered address at 77 Sir John Rogerson's Quay, Block C, Grand Canal Docklands, Dublin 2, D02 VK60, Ireland, Mainstay Medical Limited, an Irish private limited company with company registration number 516089 and registered address at 77 Sir John Rogerson's Quay, Block C, Grand Canal Docklands, Dublin 2, D02 VK60, Ireland (the “Company”), the Borrower, the Guarantors, the Lenders (as defined therein) and Madryn Health;

**WHEREAS**, pursuant to the Credit Agreement, the Company and Madryn Health entered into that certain IP Security Agreement dated as of September 9, 2022, (“IP Security Agreement”), whereby the Company granted to Madryn Health, as administrative agent, for the benefit of the Secured Parties, a continuing security interest in any and all right, title and interest of the Company in and to the IP Rights, including all of the following, whether then owned or existing or owned, acquired or arising after the effective date of the IP Security Agreement (collectively, the “IP Collateral”):

- (a) all Copyrights owned by the Company, including the copyright registrations and copyright applications set forth on Schedule A attached hereto;
- (b) all Patents owned by the Company, including the patents and patent applications set forth on Schedule B attached hereto;
- (c) all Trademarks owned by Grantor and the goodwill associated therewith, including the trademark registrations and trademark applications set forth on Schedule C attached hereto;
- (d) any and all claims and causes of action for past, present or future infringement of any of the foregoing, with the right, but not the obligation, to sue for and collect damages for infringement of the foregoing; and
- (e) all Accessions and Proceeds of any and all of the foregoing.

Notwithstanding anything to the contrary contained herein, the security interests granted under the IP Security Agreement do not extend to any Excluded Property and the term “IP Collateral” shall be deemed to exclude any Excluded Property.

**WHEREAS**, the IP Security Agreement was recorded at the United States Patent and Trademark Office (“USPTO”) with respect to the Patents on September 9, 2022, at Reel 061404, Frame 0708; and with respect to the Trademarks on September 9, 2022, at Reel 7818, Frame 0672.

**WHEREAS**, pursuant to that certain Agency Resignation, Appointment, Assumption and Waiver Agreement, dated as of January 24, 2024 (“Agency Assumption Agreement”), Madryn Health resigned as administrative agent in accordance with the Credit Agreement, and the Lenders appointed Madryn Fund to act as Successor Administrative Agent (as defined in the Agency Assumption Agreement) under the Credit Agreement and other Investment Documents (including the IP Security Agreement), and Madryn Fund accepted its appointment to serve as Administrative Agent.

**NOW THEREFORE**, in consideration of the mutual promises and undertakings set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and with the intention of being legally bound hereby, Madryn Health and Madryn Fund agree as follows:

**SECTION 1. Defined Terms.** All capitalized terms used herein but not otherwise defined herein have the meanings given to them in the Credit Agreement, IP Security Agreement, or the Agency Assumption Agreement, as applicable.

**SECTION 2. Notice of Agency Assumption.** Madryn Health and Madryn Fund hereby acknowledge and agree that, pursuant to the Agency Assumption Agreement, Madryn Fund is the Successor Administrative Agent and is now vested with all rights and remedies of the Administrative Agent under the IP Security Agreement, including the security interest in and continuing lien upon the IP Collateral.

**SECTION 3. Recordation.** Madryn Health and Madryn Fund hereby authorize the recordation of this Notice of Agency Assumption with the USPTO.

**SECTION 4. Choice of Law.** This Notice of Agency Assumption and the rights and obligations of the parties hereunder, and all of their successors, assigns, and transferees, shall be governed by and construed in accordance with the laws of the State of New York.


[Signature page follows]

**IN WITNESS WHEREOF**, Madryn Health and Madryn Fund have caused this Notice of Agency Assumption for Security Interest in IP to be duly executed as of the date first set forth above.

MADRYN HEALTH: MADRYN HEALTH PARTNERS II (CAYMAN MASTER), LP,  
a Cayman Islands exempted limited partnership

By: MADRYN HEALTH ADVISORS II, LP,  
its General Partner


By: MADRYN HEALTH ADVISORS GP II, LLC,  
its General Partner

By:   
Name: Avinash Amin  
Title: Member

MADRYN FUND: MADRYN FUND ADMINISTRATION, LLC,  
a Delaware limited liability company

By: MADRYN ASSET MANAGEMENT, LP,  
its Managing Partner

By: MADRYN ASSET MANAGEMENT GP, LLC,  
its General Partner

By:   
Name: Avinash Amin  
Title: Sole Member

SCHEDULE A

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None.

**SCHEDULE B**  
**PATENTS**

Application/Pub. No./Pat. No.	Country	Filed/Granted	Entitled	Status
App. # 12/075,174 U.S. Pub. # 2008/0228241 A1 U.S. Pat. # 8,428,728 B2 (93478-0114-0201)	US	10-Mar-08 (Granted 23-Apr-13)	Muscle stimulator	Granted: 23 Apr 2013 3 <sup>rd</sup> Maintenance Fee due: <b>24 Oct 2024</b>
App. # 13/858,809 U.S. Pub. # 2013/0218247 A1 U.S. Pat. # 8,606,358 B2 (93478-0003-0202)	US	08-Apr-13 (Granted 10-Dec-13)	Muscle stimulator	Granted: 10 Dec 2013 3 <sup>rd</sup> Maintenance Fee due: <b>11 Jun 2025</b> <b>Application for Patent Term Extension filed 10 Aug 2020</b> Continuation of US App # 12/075,174
App. # PCT/US2008/003126 Pub. # WO 2008/112178 A1 (93478-0004-0210)	PCT	10-Mar-08	Muscle stimulator	Completed
App. # 13/045,435 U.S. Pub. # 2011/0224682 A1 U.S. Pat. # 10,925,637 B2 (93478-0019-0301)	US	10-Mar-11 (Granted 23-Feb-21)	Methods of implanting electrode leads for use with implantable neuromuscular electrical stimulator	Granted: 23-Feb-2021 1 <sup>st</sup> Maintenance Fee due: <b>24 Aug 2024</b>
App. # 13/045,421 U.S. Pub. # 2011/0224665 A1 U.S. Pat. # 9,248,278 B2 (93478-0009-0401)	US	10-Mar-11 (Granted 2-Feb-16)	Modular stimulator for treatment of back pain, implantable RF ablation system and methods of use	Granted: 02 Feb 2016 2 <sup>nd</sup> Maintenance Fee due: <b>03 Aug 2023</b>

Application/Pub. No./Pat No.	Country	Filed/Granted	Entitled	Status
App. # 14/849,478 U.S. Pub. # 2015/0374992 A1 U.S. Pat. # 9,861,811 B2 (93478-0010-0402)	US	09-Sept-15 (Granted 09-Jan-18)	Electrical stimulator for treatment of back pain and methods of use	Granted: 09 Jan 2018 <b>2<sup>nd</sup> Maintenance Fee Due: <u>10 July 2025</u></b> <b>Application for Patent Term Extension filed <u>10 Aug 2020</u></b> Continuation of 13/045,421
App. # 15/853,543 U.S. Pub. # 2018/0133461 A1 U.S. Pat. # 10,661,078 B2 (93478-0011-0403)	US	22-Dec-17 (Granted 26-May-20)	Modular stimulator for treatment of back pain, implantable RF ablation system and methods of use	Granted: 26 May 2020 <b>1<sup>st</sup> Maintenance Fee Due: <u>26 Nov 2023</u></b> Continuation of 14/849,478
App. # 16/817,574 U.S. Pub. # 2020/0206495 A1 U.S. Pat. # 10,926,083 B2 (93478-01A2-0404)	US	12-Mar-20	Stimulator for treatment of back pain utilizing feedback	Granted: 23 Feb 2021 <b>1<sup>st</sup> Maintenance Fee due: <u>24 Aug 2024</u></b> Continuation of 15/853,543
App. # 17/173,121 U.S. Pub. # 2021/0162207 A1 (93478-0160-0405)	US	10-Feb-2021	Modular stimulator for treatment of back pain, implantable RF ablation system and methods of use	Pending: Continuation of 16/817,574 & CIP of 13/045,435
App. # 17/647,341 U.S. Pub. # 2022/0126091 (93478-0160-0406)	US	06-Jan-2022	Electrical stimulator for treatment of back pain and methods of use	Granted: 28 Sep 2022 Continuation of 17/173,121
App. # 17/812,981 (93478-0312-0407)	US	15-Jul-2022	Electrical stimulator for treatment of back pain and methods of use	Granted: 07 Jun 2023 Continuation of 17/173,121



Application/Pub. No./Pat No.	Country	Filed/Granted	Entitled	Status
App. # PCT/US2011/027834 Pub. # WO 2011/112773 A1 (93478-0012-0410)	PCT	10-Mar-11	Modular stimulator for treatment of back pain, implantable RF ablation system and methods of use	Completed
App. # 13/564,584 U.S. Pub. # 2013/0131766 A1 U.S. Pat. # 9,079,019 B2 (93478-0123-0501)	US	01-Aug-12 (Granted 14-Jul-15)	Apparatus and methods for anchoring electrode leads for use with implantable neuromuscular electrical stimulator	Granted: 14 Jul 2015 <b>2<sup>nd</sup> Maintenance Fee due: 17 Jan 2023</b>
App. # PCT/US2012/049148 Pub. # WO 2013/019853 A1 (93478-0124-0510)	PCT	01-Aug-12	Apparatus and methods for anchoring electrode leads for use with implantable neuromuscular electrical stimulator	Completed
App. # 13/718,806 U.S. Pub. # 2014/0058476 A1 U.S. Pat. # 9,108,053 B2 (93478-0128-0601)	US	18-Dec-12 (Granted 18-Aug-15)	Apparatus and methods for rehabilitating a muscle and assessing progress of rehabilitation	Granted: 18 Aug 2015 <b>2<sup>nd</sup> Maintenance Fee due: 21 Feb 2023</b>
App. # PCT/US2012/070259 Pub. # WO 2013/096260 A1 (93478-0129-0610)	PCT	18-Dec-12	Apparatus and methods for rehabilitating a muscle and assessing progress of rehabilitation	Completed
App. # 13/797,100 U.S. Pub. # 2013/0338730 A1 Pat. # 9,999,763 B2 (93478-0038-0701)	US	12-Mar-13 (Granted 19-June-18)	Apparatus and methods for anchoring electrode leads adjacent to nervous tissue	Granted: 19 June 2018 <b>2<sup>nd</sup> Maintenance Fee due: 20 Dec 2025</b>

Application/Pub. No./Pat No.	Country	Filed/Granted	Entitled	Status
App. # PCT/US2013/045223 Pub. # WO 2013/188433 A1 (93478-0039-0719)	PCT	11-Jun-13	Apparatus and methods for anchoring electrode leads adjacent to nervous tissue	Completed
App. # 14/061,614 U.S. Pub. # 2014/0046398 A1 U.S. Pat. # 9,072,897 B2 (93478-0089-0801)	US	23-Oct-13 (Granted 07-Jul-15)	Systems and methods for restoring muscle function to the lumbar spine	Granted: 07 Jul 2015 <b>2<sup>nd</sup> Maintenance Fee due: 10 Jan 2023</b> Continuation-in-Part of 13/858,809
App. # 14/792,430 U.S. Pub. # 2015/0306405 A1 U.S. Pat. # 9,474,906 B2 (93478-0089-0802)	US	06-Jul-15 (Granted 25-Oct-16)	Systems and methods for restoring muscle function to the lumbar spine	Granted: 25 Oct 2016 <b>2<sup>nd</sup> Maintenance Fee due: 26 Apr 2024</b> <b>Application for Patent Term Extension filed 10 Aug 2020</b> Continuation of 14/061,614 and Continuation-in-Part of 13/858,809
App. # 15/299,399 U.S. Pub. # 2017/0036025 A1 U.S. Pat. # 10,016,603 B2 (93478-0091-0803)	US	20-Oct-16 (Granted 10-Jul-18)	Systems and methods for restoring muscle function to the lumbar spine	Granted: 10 July 2018 <b>2<sup>nd</sup> Maintenance Fee due: 11 Jan 2026</b> Continuation of 14/792,430
App. # 15/944,730 U.S. Pub. # 2018/0353757 A1 U.S. Pat. # 10,828,490 B2 (93478-0092-0804)	US	03-Apr-18	Systems and methods for restoring muscle function to the lumbar spine	Granted: 10 Nov 2020 <b>1<sup>st</sup> Maintenance Fee due: 11 May 2024</b> Continuation of 15/299,399
App. # 17/092,073 U.S. Pub. # 2021/0069509 A1 (93478-0143-0805)	US	06-Nov-20	Systems and methods for restoring muscle function to the lumbar spine	Pending: Continuation of 15/944,730

Application/Pub. No./Pat No.	Country	Filed/Granted	Entitled	Status
App. # 17/812,989 (93478-0202-0806) TRACN 1	US	15-Jul-22	Systems and methods for restoring muscle function to the lumbar spine	Granted: 31 May 2023 Continuation of 17/092,073
App. # PCT/IB2014/002920 Pub. # WO2015/059570 A1 (93478-0093-0810)	PCT	16-Oct-14	Systems and methods for restoring muscle function to the lumbar spine	Completed
App. # 14/453,423 U.S. Pub. # 2014/0350653 A1 Pat. # 10,195,419 B2 (93478-0108-0901)	US	06-Aug-14 (Granted: 05-Feb-19)	Electrode leads for use with implantable neuromuscular electrical stimulator	Granted: 05 Feb 2019 <b>2<sup>nd</sup> Maintenance Fee due: 06 Aug 2026</b>
App. # PCT/IB2015/055926 Pub. # WO 2016/020846 A1 (93478-0109-0910)	PCT	05-Aug-15	Electrode leads for use with implantable neuromuscular electrical stimulator	Completed
App. # 14/882,087 Pub. # 2016/0106994 A1 Pat. # 10,471,268 B2 (93478-0048-1001)	US	13-Oct-15 (Granted: 12-Nov-19)	Systems and methods for monitoring muscle rehabilitation	Granted: 12 Nov 2019 <b>1<sup>st</sup> Maintenance Fee Due: 12 May 2023</b>
App. # PCT/IB2015/057838 Pub. # WO 2016/059556 A1 (93478-0049-1019)	PCT	14-Oct-15	Systems and methods for monitoring muscle rehabilitation	Completed


Application/Pub. No./Pat No.	Country	Filed/Granted	Entitled	Status
App. # 14/295,153 U.S. Pub. # 2014/0288616 A1 U.S. Pat. # 9,186,501 B2 (93478-005A-1101)	US	03-Jun-14 (Granted: 17-Nov-15)	Systems and methods for implanting electrode leads for use with implantable neuromuscular electrical stimulator	Granted: 17 Nov 2015 <b>2<sup>nd</sup> Maintenance Fee due: 17 May 2023</b> Continuation-in-Part of 13/797,100 & 14/061,614
App. # 14/939,955 U.S. Pub. # 2016/0067476 A1 U.S. Pat. # 9,981,122 B2 (93478-0055-1102)	US	12-Nov-15 (Granted: 29-May-18)	Systems and methods for implanting electrode leads for use with implantable neuromuscular electrical stimulator	Granted: 29 May 2018 <b>2<sup>nd</sup> Maintenance Fee due: 02 Dec 2025</b> Divisional of 14/295,153 and Continuation-in-Part of 13/797,100 & 14/061,614
App. # PCT/US2015/32732 Pub. # WO 2015/187426 A1 (93478-0056-1110)	PCT	27-May-15	Systems and methods for implanting electrode leads for use with implantable neuromuscular electrical stimulator	Completed
App. # 15/202,435 U.S. Pub. # 2016/0310732 A1 Pat. # 9,950,159 B2 (93478-0065-1201)	US	05-Jul-16 (Granted: 24-Apr-18)	Systems and methods for restoring muscle function to the lumbar spine and kits for implanting same	Granted: 24 Apr 2018 <b>2<sup>nd</sup> Maintenance Fee Due: 25 Oct 2025</b> Continuation-in-Part of 14/792,430
App. # 15/948,945 U.S. Pub. # 2018/0221659 A1 Pat. # 10,449,355 B2 (93478-0066-1202)	US	09-Apr-18 (Granted 22-Oct-19)	Systems and methods for restoring muscle function to the lumbar spine and kits for implanting same	Granted: 22 Oct 2019 <b>1<sup>st</sup> Maintenance Fee Due: 22 April 2023</b> Continuation of 15/202,435
App. # 16/656,500 U.S. Pub. # 2020/0046972 A1 Pat. # 11,376,427 (93478-0139-1203)	US	17-Oct-19 (Granted 05-Jul-22)	Systems and methods for restoring muscle function to the lumbar spine and kits for implanting same	Granted: 05 Jul 2022 Continuation of 15/948,945

Application/Pub. No./Pat No.	Country	Filed/Granted	Entitled	Status
App. # 17/810,586 (93478-0216-1204)	US	01-Jul-22	Systems and methods for restoring muscle function to the lumbar spine and kits for implanting same	Granted: 27 Sep 2023 Continuation of 16/656,500
App. # PCT/IB17/053945 Pub. # WO2018/007913 A1 (93478-0072-1219)	PCT	30-Jun-17	Systems and methods for restoring muscle function to the lumbar spine and kits for implanting same	Completed
App. # 15/202,485 Pub. # 2018/0008311 A1 Pat. # 10,327,810 B2 (93478-0076-1301)	US	05-Jul-16 (Granted: 25-June-19)	Systems and methods for enhanced implantation of electrode leads between tissue layers	Granted: 25 June 2019 <b>1<sup>st</sup> Maintenance Fee Due: 27 Dec 2022</b>
App. # 16/443,819 Pub. # 2019/0328423 A1 Pat. # 11,406,421 (93478-0077-1302)	US	17-Jun-19 (Granted 09-Aug-22)	Systems and methods for enhanced implantation of electrode leads between tissue layers	Granted: 09 Aug 2022 Divisional of 15/202,485
App. # 17/816,519 (93478-0220-1303)	US	01-Aug-22	Systems and methods for enhanced implantation of electrode leads between tissue layers	Pending Continuation of 16/443,819
App. # PCT/IB17/053946 Pub. # WO/2018/007914 A1 (93478-0078-1310)	PCT	30-Jun-17	Systems and methods for enhanced implantation of electrode leads between tissue layers	Completed
App. # 16/264,632 US Pub. # 2019/0167995 A1 U.S. Pat. # 11,103,706 B2 (93478-0083-1401)	US	31-Jan-19 (Granted: 31-Aug-21)	Systems and methods for enhancing function of spine stabilization muscles associated with a spine surgery intervention	Granted: 31 August 2021 Continuation-in-Part of 14/792,430

Application/Pub. No./Pat No.	Country	Filed/Granted	Entitled	Status
App. # 17/411,713 US Pub. # 2021/0379380 A1 U.S. Pat. # 11,331,488 B2 (93478-0200-1402)	US	25-Aug-21 (Granted: 17-May-22)	Systems and methods for enhancing function of spine stabilization muscles associated with a spine surgery intervention	Granted: 17 May 2022 Continuation of 16/264,632
App. # 17/660,375 (93478-0211-1403) TRACK 1	US	22-Apr-22	Systems and methods for enhancing function of spine stabilization muscles associated with a spine surgery intervention	Granted: 31 May 2023 Continuation of 17/411,713 CIP of 17/173,121
App. # 63/366,132 (93478-0155-1500)	US	09-Jun-22	Fatigue-resistant electrostimulation leads and methods of use thereof	Expired Conversion Deadline: 09 Jun 2023
App. # 63/269,756 (93478-0210-1600)	US	22-Mar-22	Systems and methods for extracting an electrode lead	Expired Conversion Deadline: 22 Mar 2023

SCHEDULE C

TRADEMARKS

Country	Trademark Name	Status	Application Number	Filing Date	Registration Number	Registration Date	Registration Due Date
United States	<b>MAINSTAY MEDICAL and Design</b> 	Registered	85757856	18-Oct-2012	5156324	07-Mar-2017	\$8 (6 Year) Declaration due: 07-Mar-2023 Renewal: 07-Mar-2027
United States	<b>REACTIV8</b> Class 10: Medical apparatus for the relief of pain, namely, for the treatment of back pain; medical devices for therapy of chronic pain conditions, namely, for the treatment of chronic back pain	Registered	85757858	18-Oct-2012	5156325	07-Mar-2017	\$8 (6 Year) Declaration due: 07-Mar-2023 Renewal: 07-Mar-2027
United States	<b>MAINSTAY</b> Class 10: Medical devices for therapy for chronic pain conditions, namely, for the treatment of chronic back pain; medical apparatus for the relief of pain, namely, for the treatment of back pain	Registered	85757863	18-Oct-2012	5156326	07-Mar-2017	\$8 (6 Year) Declaration due: 07-Mar-2023 Renewal: 07-Mar-2027

TRADEMARK

REEL: 008326 FRAME: 0070

RECORDED: 01/24/2024