

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	SECURITY INTEREST

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
SPINAL RESTORATION, INC.		09/04/2012	CORPORATION: DELAWARE

RECEIVING PARTY DATA

Name:	COMERICA BANK
Street Address:	39200 W. Six Mile Road
Internal Address:	M/C 7512
City:	Livonia
State/Country:	MICHIGAN
Postal Code:	48152
Entity Type:	Texas banking association: TEXAS

PROPERTY NUMBERS Total: 10

Property Type	Number	Word Mark
Serial Number:	85250701	NATURE'S HEALING MATRIX
Registration Number:	3458748	BIOSTAT BIOPREP
Registration Number:	3458750	BIOSTAT DISC AUGMENTATION SYSTEM
Registration Number:	3399111	BIOSTAT BIOLOGX
Registration Number:	3458747	BIOSTAT
Registration Number:	3458749	SPINAL RESTORATION
Registration Number:	3463086	
Registration Number:	3415469	BIOSTAT
Registration Number:	3432488	
Registration Number:	3415470	BIOSTAT DISC AUGMENTATION SYSTEM

CORRESPONDENCE DATA

Fax Number: 8585506420

Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent

TRADEMARK

via US Mail.

Phone: 858-550-6403
Email: erin.obrien@cooley.com
Correspondent Name: Erin O'Brien
Address Line 1: c/o Cooley LLP
Address Line 2: 4401 Eastgate Mall
Address Line 4: San Diego, CALIFORNIA 92121

ATTORNEY DOCKET NUMBER:	036703-1552 SPINAL RESTOR
NAME OF SUBMITTER:	Erin O'Brien
Signature:	/Erin O'Brien/
Date:	09/06/2012

Total Attachments: 9

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INTELLECTUAL PROPERTY SECURITY AGREEMENT

This Intellectual Property Security Agreement is entered into as of September 4, 2012 by and between **COMERICA BANK** ("Bank") and **SPINAL RESTORATION, INC.**, a Delaware corporation ("Grantor").

RECITALS

A. Bank has agreed to make certain advances of money and to extend certain financial accommodations to Grantor (the "Loans") in the amounts and manner set forth in that certain Loan and Security Agreement by and between Bank and Grantor dated of even date herewith (as the same may be amended, modified or supplemented from time to time, the "Loan Agreement"; capitalized terms used herein are used as defined in the Loan Agreement). Bank is willing to make the Loans to Grantor, but only upon the condition, among others, that Grantor shall grant to Bank a security interest in certain Copyrights, Trademarks and Patents to secure the obligations of Grantor under the Loan Agreement.

B. Pursuant to the terms of the Loan Agreement, Grantor has granted to Bank 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 Loan Agreement and all other agreements now existing or hereafter arising between Grantor and Bank, Grantor hereby represents, warrants, covenants and agrees as follows:

AGREEMENT

To secure its obligations under the Loan Agreement and under any other agreement now existing or hereafter arising between Grantor and Bank, Grantor grants and pledges to Bank a security interest in all of Grantor's right, title and interest in, to and under its Intellectual Property 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. Notwithstanding the foregoing, the security interest shall not apply to the extent any such property (i) is nonassignable by its terms without the consent of the licensor thereof or another party (but only to the extent such prohibition on transfer is enforceable under applicable law, including, without limitation, Sections 9406 and 9408 of the Uniform Commercial Code of the State of Texas), or (ii) the granting of a security interest therein is contrary to applicable law, provided that upon the cessation of any such restriction or prohibition, such property shall automatically become part of the Intellectual Property Collateral.

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

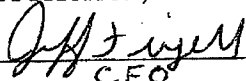
GRANTOR:

Address of Grantor:

9737 Great Hills Trail #250
Austin, TX 78759

Attn:

SPINAL RESTORATION, INC.

By: 
Title: CFO

BANK:

Address of Bank:

m/c 7512
39200 W. Six Mile Road
Livonia, MI 48152

Attn: Livonia Operations Center

COMERICA BANK

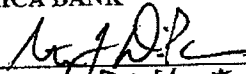
By: 
Title: Vice President

EXHIBIT A

Copyrights

<u>Description</u>	<u>Registration Number</u>	<u>Registration Date</u>
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None.

EXHIBIT B

Patents

<u>Description</u>	<u>Patent / Application Number</u>	<u>Issue / Application Date</u>
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See attached listing.

Spinal Restoration Intellectual Property Portfolio Overview

Patent Family	SR Case#	Description	U.S. Patent / App #	PCT #	National Office	Number	Status
Fibrin With Steroid	SPIN:001	Fibrin sealant reconstituted with a corticosteroid	6,468,527	US2001/041103	Australia	2001273623	Issued
			2413337		Canada	20010952916	Issued
					EP		
					Japan	2002-503355 T	Issued
					New Zealand	523425	Issued
							Abandoned
							Abandoned
							Issued
							Issued
							Abandoned
Fibrin Alone	SPIN:002	Method of disc treatment using fibrin sealant without a steroid	11/003,656	US2005/039276	Brazil	PI0516679	Issued
			7,229,633		China	200580036811.6	Issued
			7,235,255		EP	2005820044	Issued
			6,921,532		Japan	2007539248	Issued
			11/799,104		Korea	1020077010917	Issued
			12/807,366		Mexico	MX/a/2007/004964	Issued
			11/205,760				Abandoned
							Abandoned
							Issued
							Issued
Alternative Formulations	SPIN:007	Method of disc treatment using fibrin sealant with additives	12/910,237	US2005/039277	Brazil	PI0516680	Issued
			8,124,075		China	200580036813.5	Issued
			13/407,335		EP	2005823120	Issued
			8,205,448		Japan	2007539249	Issued
					Korea	1020077010918	Issued
					Mexico	MX/a/2007/005149	Issued
							Abandoned
							Abandoned
							Issued
							Issued
Alternative Formulations	SPIN:008	Method of disc treatment using fibrin sealant with additives	13/533,450	US2005/039275	Brazil	PI0516673	Issued
			7,597,687		China	200580036812.0	Issued
					EP	2005819489	Issued
					Japan	2007539247	Issued
					Korea	1020077010919	Issued
					Mexico	MX/a/2007/005035	Issued
							Abandoned
							Abandoned
							Issued
							Issued
Alternative Formulations	SPIN:008DIV1	Method of disc treatment using fibrin sealant with additives	12/587,312		Brazil	PI0516673	Issued
			12/587,310		China	200580036812.0	Issued
			12/587,309		EP	2005819489	Issued
					Japan	2007539247	Issued
Alternative Formulations	SPIN:008DIV2	Method of disc treatment using fibrin sealant with additives			Korea	1020077010919	Issued
					Mexico	MX/a/2007/005035	Issued

Spinal Restoration Intellectual Property Portfolio Overview

Patent Family	SR Case#	Description	U.S. Patent / App #	PCT #	National Office	Number	Status	
Polymers	SPIN:015	Method of disc treatment using polymers	11/707,769	US2008/002053	EP	2008725653	Licensed	
	SPIN:017	Method of repairing an annulus with in situ curable materials	6,428,576				Issued	
	SPIN:018	Device and kit for delivery of biological sealant	8,047,407	US2007/022533				
	SPIN:018CON1	Device and kit for delivery of biological sealant	13/200,060 11/650,306					
Devices	SPIN:019	Apparatus for delivery of fibrin sealant including a pressure monitor		US2007/002998	Brazil Canada China EP Japan Mexico	PI0706808 2637886 200780004301.X 2007762909 2006553391 MX/a/2008/009803		
	SPIN:020	Device and method of treating an annular defect by injecting a biological sealant through a coaxial needle	11/650,398	US2007/003207			Abandoned	
Expanded Indications	SPIN:026	Methods for treating herniated discs	11/802,641	US2008/006242	Canada EP	2688255 2008767715	Withdrawn Abandoned	
	SPIN:027	Method, composition, kits for treating discs with fibrin sealant and neurotropic agents	11/802,642	US2008/006241				
	SPIN:029	Methods and kits for prophylactically reinforcing degenerated spinal discs and facet joints near a surgically treated spinal section	11/892,218		US2008/009825	Canada EP	2697260 2008795405	
	SPIN:030	Method and kits for treating joints and soft tissues	12/382,219		US2010/000726			Abandoned
	SPIN:031	Methods for treating soft tissue damage associated with a surgical procedure	12/382,218		US2010/000727			Abandoned
	SPIN:032	Methods for Treating Joints and Discs with a Carrier Matrix and Cells	12/382,217		US2010/000725			Abandoned
	SPIN:033	Methods and kits for treating joints and soft tissues using a matrix, pain reliever, and steroid	12/457,841		US2010/000724			Abandoned



EXHIBIT C

Trademarks




<u>Description</u>	<u>Registration/ Serial Number</u>	<u>Registration/ Application Date</u>
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See attached listing.

SPINAL RESTORATION, INC.'s Trademarks as of 8/23/2012

No.	Matter Number	Mark Name	Country	Status	Class Number	Goods	Current Appl. No	Current Appl. Date	Current Reg No	Current Reg Date	Renewal Date
1	196702	Nature's Healing Matrix	United States	Filed	5	pharmaceutical preparations, namely, fibrin sealant, polymers and hydrogels for filling tears and defects and promoting healing of the annulus of the degenerated spinal disc	85/250,701	2/24/2011			
2	171215	BIOSTAT BIOPREP	United States	Registered	10	medical and surgical apparatus and instruments, namely a processor unit which heats and mixes the components of fibrin sealant, namely fibrinogen and a fibrinogen activator	77/067,453	12/19/2006	3,458,748	7/1/2008	7/1/2018
3	171214	BIOSTAT DISC AUGMENTATION SYSTEM & Design 	United States	Registered	41	educational services, namely, conducting classes and workshops in the use of medical and surgical devices used for orthopedic spinal disc augmentation and repair	77/067,479	12/19/2006	3,458,750	7/1/2008	7/1/2018
4	171213	BIOSTAT BIOLOGX	United States	Registered	5	pharmaceutical preparations, namely fibrin sealant, polymers, bone cements and hydrogels for filling tears and defects and promoting healing of the annulus of the degenerated spinal disc	77/067,448	12/19/2006	3,399,111	3/18/2008	3/18/2018
5	171212	BIOSTAT	United States	Registered	41	educational services, namely conducting classes and workshops in the use of medical and surgical devices used for orthopedic spinal disc augmentation and repair	77/067,444	12/19/2006	3,458,747	7/1/2008	7/1/2018
6	171217	Spinal Restoration & Design 	United States	Registered	5, 10 & 41	CI 5: pharmaceutical preparations, namely, fibrin sealant, polymers, bone cements and hydrogels for filling tears and defects and promoting healing of the annulus of the degenerated spinal disc CI 10: medical and surgical instruments, namely, a biologic sealant delivery system comprised of a multi-chamber applicator for the percutaneous delivery of fibrinogen and a fibrinogen activator handheld applicator for medical sealant; parts for medical sealant applicators, namely, applicator needles, syringes, tubing and trays; handheld medical sealant applicators with delivery pressure monitor; fibrin sealant applicators and medical sealant applicators for use in minimally invasive spine surgery; a processor unit which heats and mixes the components of fibrin sealant, namely, fibrinogen and a fibrinogen activator CI 41: educational services, namely, conducting classes and workshops in the use of medical and surgical devices used for orthopedic spinal disc augmentation and repair	77/067,462	12/19/2006	3,458,749	7/1/2008	7/1/2018

SPINAL RESTORATION, INC.'s Trademarks as of 8/23/2012

No.	Matter Number	Mark Name Logo Design	Country	Status	Class Number	Goods	Current Appl. No.	Current Appl. Date	Current Reg. No.	Current Reg. Date	Renewal Date
7	171216		United States	Registered	41	Educational services, namely conducting classes and workshops in the use of medical and surgical devices used for orthopedic spinal disc augmentation and repair.	77067.467	12/19/2006	3.463.086	7/8/2008	7/8/2018
8	178970	BIOSTAT	United States	Registered	10	medical and surgical instruments, namely, a biologic sealant delivery system comprised of a multi-chamber applicator for the percutaneous delivery of fibrinogen and a fibrinogen activator, handheld applicator for medical sealants; parts for medical sealant applicators, namely, applicator needles, syringes, tubing and trays; handheld medical sealant applicators with delivery pressure monitor, fibrin glue applicators and medical sealant applicators for use in minimally invasive spine surgery	77975.283	12/19/2006	3.415.469	4/22/2008	4/22/2018
9	178971	Logo Design 	United States	Registered	5, 10	Cl 5: pharmaceutical preparations, namely fibrin sealant, polymers, bone cements and hydrogels for filling tears and defects and promoting healing of the annulus of the degenerated spinal disc Cl: 10: medical and surgical instruments, namely, a biologic sealant delivery system comprised of a multi-chamber applicator for the percutaneous delivery of fibrinogen and a fibrinogen activator; handheld applicator for medical sealant; parts for medical sealant applicators, namely, applicator needles, syringes, tubing and trays; handheld medical sealant applicators with delivery pressure monitor; fibrin sealant applicators and medical sealant applicators for use in minimally invasive spine surgery; a processor unit which heats and mixes the components of fibrin sealant, namely, fibrinogen and a fibrinogen activator	77975.284	12/19/2006	3.432.488	5/20/2008	5/20/2018
10	178969	BIOSTAT DISC AUGMENTATION SYSTEM & Design 	United States	Registered	10	medical and surgical instruments, namely, a biologic sealant delivery system comprised of a multi-chamber applicator for the percutaneous delivery of fibrinogen and a fibrinogen activator; handheld applicator for medical sealants; parts for medical sealant applicators, namely, applicator needles, syringes, tubing and trays; handheld medical sealant applicators with delivery pressure monitor, fibrin sealant applicators and medical sealant applicators for use in minimally invasive spine surgery.	77975.285	12/19/2006	3.415.470	4/22/2008	4/22/2018