



CYBERKINETICS RECEIVES NOTIFICATION OF KEY PATENT ALLOWANCE FOR TREATMENT OF SPINAL CORD INJURY USING THE ANDARA™ OFS™ PLUS DEVICE

Patent Covers Use of Electrical Stimulation of Nerve Tissue in Combination with a Growth Factor that May Enable Treatment of Older Injuries

FOXBOROUGH, Mass, December 6, 2006 -- Cyberkinetics Neurotechnology Systems, Inc. (OTCBB: CYKN; Cyberkinetics), a neurotechnology company focused on neurostimulation and neural sensing to restore function, announced that a notification of allowance has been received from the U.S. Patent and Trademark Office for publication number US20040214790A1, entitled "Method of Treatment for Spinal Cord Injury". The patent relates to the Company's Andara™ Oscillating Field Stimulator (OFS™) neural stimulation technology platform.

"In early 2007, we expect to file an application for a Humanitarian Device Exemption on the Andara™ OFS™ Device which is intended for the treatment of acute spinal cord injuries. The fundamental science that underlies the claims in this patent is directed toward enabling us to treat spinal cord and other nervous system injuries that occurred months – even years – ago," stated Timothy R. Surgenor, Cyberkinetics' President and Chief Executive Officer. "This technology may one day allow us to provide sensation and motor function to the large numbers of people living with spinal cord injuries today. The allowance of this patent significantly extends coverage of our Andara™ OFS™ technology platform and strengthens our position in the rapidly expanding neurostimulation marketplace."

Cyberkinetics gained rights to the patent through the acquisition of Andara™ Life Science, Inc. The patent application is based on technology licensed from Purdue Research Foundation and Indiana University Research and Technology Corporation. The initial research was performed at Purdue University's Center for Paralysis Research under the direction of:

- Richard Borgens, Ph.D., inventor of Cyberkinetics' Andara™ OFS™ Device technology, founder and Director of Purdue's Center for Paralysis Research, and the Mari Hulman George Professor of Applied Neurology in the School of Veterinary Medicine at Purdue University; and
- Scott Shapiro, M.D., the Principal Investigator for the clinical trial of the Andara™ OFS™ Device and the Robert L. Campbell Professor of Neurosurgery at the Indiana University School of Medicine.

About the Andara™ OFS™ Technology Platform

Cyberkinetics' Andara™ OFS™ Device is based on initial research by the Center for Paralysis Research at Purdue University and is intended to improve or restore tactile sensation and some movement in those with quadriplegia and tetraplegia due to recent spinal cord injuries by promoting nerve fiber regeneration. The Andara™ OFS™ Device has been shown in published randomized controlled preclinical studies to restore sensation and some motor function in a large animal model. Results of a ten-

patient clinical study were published in the *Journal of Neurosurgery: Spine* in January of 2005.

In April 2006, Scott Shapiro, M.D., Principal Investigator in the Andara™ OFS™ Device clinical trial, presented basic research results that demonstrated - for the first time - that Cyberkinetics' Andara™ OFS™ PLUS System induced nerve regeneration and functional recovery in a model of chronic, or long-term, spinal cord injury. These results supplement the findings of a Phase Ia clinical trial of ten participants who received the Andara™ OFS™ Device within 18 days of their injuries that demonstrated that the Andara™ OFS™ Device, used alone, is capable of restoring sensation and motor function.

In September 2006, Cyberkinetics received notification from the Food and Drug Administration (FDA) that the Company's Andara™ OFS™ Device was designated as a Humanitarian Use Device (HUD) for use immediately after (within 18 days) certain types of spinal cord injuries. This special FDA designation enables Cyberkinetics to file an HDE application with the FDA to use Cyberkinetics' Andara™ OFS™ Device to treat patients with acute, or recent, spinal cord injuries. Cyberkinetics expects to file the HDE application in early 2007.

About Cyberkinetics Neurotechnology Systems, Inc.

Cyberkinetics Neurotechnology Systems, Inc., a leader in the neurotechnology industry, is developing neural stimulation, sensing and processing technology to improve the lives of those with severe paralysis resulting from spinal cord injuries, neurological disorders and other conditions of the nervous system. Cyberkinetics' product development pipeline includes: the Andara™ Oscillating Field Stimulator (OFS™) Device, an investigative device designed to stimulate regeneration of the neural tissue surrounding the spinal cord; the BrainGate System, an investigative device designed to provide communication and control of a computer, assistive devices, and, ultimately, limb movement; and the FDA cleared-to-market NeuroPort™ System, a neural monitor designed for acute inpatient applications and labeled for temporary (less than 30 days) recording and monitoring of brain electrical activity. Additional Information is available at Cyberkinetics' website at <http://www.cyberkineticsinc.com>.

Forward-Looking Statements This announcement contains forward-looking statements, including statements about Cyberkinetics' product development plans and progress. These statements are made pursuant to the safe harbor provisions of the Private Securities Litigation Reform Act of 1995, and can be identified by the use of forward-looking terminology such as "may," "will," "believe," "expect," "anticipate" or other comparable terminology. Forward-looking statements involve risks and uncertainties that could cause actual results to differ materially from those projected in forward-looking statements and reported results shall not be considered an indication of our future performance. Factors that might cause or contribute to such differences include our limited operating history; our lack of profits from operations; our ability to successfully develop and commercialize our proposed products; a lengthy approval process and the uncertainty of FDA and other governmental regulatory requirements; clinical trials may fail to demonstrate the safety and effectiveness of our products; the degree and nature of our competition; our ability to employ and retain qualified employees; compliance with recent legislation regarding corporate governance, including the Sarbanes-Oxley Act of 2002; as well as those risks more fully discussed in our public filings with the Securities and

Exchange Commission, all of which are difficult to predict and some of which are beyond our control.

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