

1 PAUL D. TRIPODI II
State Bar No. 162380
2 ptripodi@wsgr.com
Wilson Sonsini Goodrich & Rosati P.C.
3 633 West Fifth Street, Suite 1550
Los Angeles, CA 90071
4 Telephone: 323-210-2900
Fax: 866-974-7329

5 NATALIE J. MORGAN
State Bar No. 211143
6 nmorgan@wsgr.com
Wilson Sonsini Goodrich & Rosati P.C.
7 12235 El Camino Real
San Diego, CA 92130
8 Telephone: 858-350-2300
9 Fax: 858-350-2399

10 WENDY L. DEVINE
State Bar No. 246337
11 wdevine@wsgr.com
Wilson Sonsini Goodrich & Rosati P.C.
12 One Market Plaza
Spear Tower, Suite 3300
13 San Francisco, California 94105-1126
Telephone: 415-947-2000
14 Fax: 415-947-2099

15 *Attorneys for Plaintiff NuVasive, Inc.*

16 **UNITED STATES DISTRICT COURT**
17 **SOUTHERN DISTRICT OF CALIFORNIA**
18 **SAN DIEGO DIVISION**

19 NUVASIVE, INC., a Delaware
corporation,
20 Plaintiff,
21 v.
22 ALPHATEC HOLDINGS, INC., a
23 Delaware corporation, and ALPHATEC
SPINE, INC., a California corporation,
24 Defendants.

} CASE NO. 18-cv-0347-MDD-
CAB
} **MEMORANDUM OF POINTS**
} **AND AUTHORITIES IN**
} **SUPPORT OF MOTION FOR**
} **PRELIMINARY INJUNCTION**
} **Judge:** Hon. Cathy Ann Bencivengo
} **Courtroom:** 4C
} **Hearing Date:** April 30, 2018
} **JURY TRIAL DEMANDED**
} REDACTED VERSION

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28

TABLE OF CONTENTS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- I. INTRODUCTION 1
- II. BACKGROUND 1
 - A. NuVasive 1
 - B. XLIF And The Asserted Patents 3
 - C. Alphatec and Its Infringing Products 4
- III. LEGAL STANDARDS 6
- IV. ARGUMENT 7
 - A. NuVasive is Likely to Succeed on the Merits 7
 - 1. Alphatec Is Liable for Patent Infringement 7
 - 2. Assignor Estoppel Precludes Alphatec from Asserting an Invalidity Defense 13
 - 3. Alphatec Cannot Raise a Substantial Question of Validity 15
 - B. Absent an Injunction, NuVasive will be Irreparably Harmed 16
 - 1. Alphatec’s Infringement Will Imminently Cause NuVasive to Lose Customers, Market Share, and Business Opportunities 17
 - 2. Alphatec’s Infringement Will Imminently Cause NuVasive to Lose Good Will and Harm its Reputation 22
 - 3. Irreversible Price Erosion is Imminent 23
 - 4. Alphatec’s Infringement is the Cause of NuVasive’s Irreparable Harm 23
 - C. The Balance of Hardships Favors NuVasive 25
 - D. The Public Interest Weighs in Favor of a Preliminary Injunction 26
- V. CONCLUSION 26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

TABLE OF AUTHORITIES

Page(s)

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Apple, Inc. v. Samsung Elecs. Co., 809 F.3d 633 (Fed. Cir. 2015)..... 20, 23, 25

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CA, Inc. v. New Relic, Inc., No. CV 12-5468 (AKT), 2015 U.S. Dist. LEXIS 46438 (E.D.N.Y. Mar. 30, 2015) 14

Carroll Touch, Inc. v. Electro Mech. Sys., Inc., 15 F.3d 1573 (Fed. Cir. 1993)..... 14

Celsis in Vitro, Inc. v. CellzDirect, Inc., 664 F.3d 922 (Fed. Cir. 2012) 16, 24

Douglas Dynamics, LLC v. Buyers Prods. Co., 717 F.3d 1336 (Fed. Cir. 2013)..... 16, 22

Eisai Co., Ltd. v. Teva Pharms. USA, Inc., Nos. 05-5727(HAAS)(ES), 07-5489(HAAS)(ES), 2008 WL 1722098 (D.N.J. Mar. 28, 2008) 25

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In re NuVasive, Inc., 842 F.3d 1376 (Fed. Cir. 2016)..... 1, 15

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Interconnect Planning Corp. v. Feil, 774 F.2d 1132 (Fed. Cir. 1985)..... 16

Limelight Networks, Inc. v. Akamai Tech., Inc., 134 S. Ct. 2111 (2014)..... 7

M-I LLC v. FPUSA, LLC, No. SA:15-CV-406-DAE, 2015 WL 6738823 (W.D. Tex. Nov. 4, 2015) 20

Mag Aerospace Indus. v. B/E Aerospace, Inc., 816 F.3d 1374 (Fed. Cir. 2016)..... 13, 14

Mentor Graphics Corp. v. EVE-USA, Inc., 870 F.3d 1298 (Fed. Cir. 2017)..... 13

Mentor Graphics Corp. v. Quickturn Design Sys., Inc., 150 F.3d 1374 (Fed. Cir. 1998) 13

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2 *Minnesota Mining & Mfg. Co. v. Chemque, Inc.*, 303 F.3d 1294 (Fed. Cir. 2002)..... 7

3 *Mylan Institutional LLC v. Aurobindo Pharma Ltd.*, 857 F.3d 858 (Fed. Cir. 2017)..... 23

4 *Oakley, Inc. v. Sunglass Hut Int’l*, 316 F.3d 1331 (Fed. Cir. 2003)..... 7, 14

5 *PPG Indus., Inc. v. Guardian Indus. Corp.*, 75 F.3d 1558 (Fed. Cir. 1996)..... 24

6 *Pfizer, Inc. v. Teva Pharms. USA, Inc.*, 429 F.3d 1364 (Fed. Cir. 2005)..... 24

7 *Purdue Pharma L.P. v. Boehringer Ingelheim GmbH*, 237 F.3d 1359 (Fed. Cir. 2001) 15, 22

8 *Sanofi-Synthelabo v. Apotex, Inc.*, 470 F.3d 1368 (Fed. Cir. 2006)..... 16, 21, 24

9 *Shamrock Tech., Inc. v. Med. Sterilization, Inc.*, 903 F.2d 789 (Fed. Cir. 1990)..... 13, 14

10 *Tinnus Enters., LLC v. Telebrands Corp.*, 846 F.3d 1190 (Fed. Cir. 2017)..... 22

11 *Titan Tire Corp. v. Case New Holland, Inc.*, 566 F.3d 1372 (Fed. Cir. 2009)..... 15

12 *Tivo Inc. v. EchoStar Commc’n Corp.*, 446 F. Supp. 2d 664 (E.D. Tex. 2006), *rev’d in part on other grounds*, 516 F.3d 1290 (Fed. Cir. 2008)..... 18

13 *Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7 (2008)..... 6

14 **STATUTES**

15 35 U.S.C. §271..... 7

16

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18

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26

27

28

TABLE OF ABBREVIATIONS

1		
2	NuVasive	NuVasive, Inc.
3		
4	Alphatec	Alphatec Holdings, Inc. and Alphatec Spine, Inc. (collectively)
5	XLIF	eXtreme Lateral Interbody Fusion
6		
7	Link Decl.	Declaration of Matthew Link filed simultaneously herewith
8		
9	Youssef Decl.	Declaration of Jim A. Youssef, M.D. filed simultaneously herewith
10		
11	Ex. ___	Exhibits attached to the Declaration of Wendy L. Devine filed simultaneously herewith
12		
13	English Decl.	Declaration of Blake English filed simultaneously herewith
14		
15	'801 patent	U.S. Patent No. 7,819,801
16		
17	'780 patent	U.S. Patent No. 8,355,780
18		
19	'832 patent	U.S. Patent No. 8,439,832
20		
21	'227 patent	U.S. Patent No. 9,833,227
22		
23	'270 patent	U.S. Patent No. 8,753,270
24		
25	'156 patent	U.S. Patent No. 8,361,156
26		
27	Miles patents	The '801, '780, '832, '227 and '270 patents
28		
29	PTAB	Patent Trial and Appeal Board
30		
31	'801 Patent Reexam	Reexamination No. 95/001,889
32		
33	Battalion system	Battalion™ Lateral System
34		
35	Battalion spacer	Battalion™ Lateral Spacer
36		
37	Squadron	Squadron™ Lateral Retractor
38		
39	**	All internal quotations omitted and citation omitted unless otherwise noted.
40		

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