

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NUVASIVE, INC.
Petitioner

v.

WARSAW ORTHOPEDIC, INC.
Patent Owner

Patent Number: 8,251,997 B2
Issue Date: August 28, 2012

Case IPR2013-00206

**MOTION TO MAKE EXHIBITS 2048, 2050, 2051, and 2052
VIEWABLE TO THE PUBLIC**

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I. Request that Exhibits 2048, 2050, 2051, and 2052 be made public.

Exhibits 2048, 2050, 2051, and 2052 submitted with Patent Owner's Response of December 20, 2013 were uploaded to be viewable by "Parties and Board Only." Pursuant to the Board's February 3, 2014 (Paper 36) Order, Patent Owner was to file a motion to seal along with a protective order to seal Exhibits 2048, 2050, 2051, and 2052 that were uploaded as viewable by "Parties and Board Only." However, after further review of Exhibits 2048, 2050, 2051, and 2052, Patent Owner submits that these exhibits were incorrectly uploaded to be viewable by "Parties and Board Only." Thus, to the extent that Exhibits 2048, 2050, 2051, and 2052 contained any confidential information, Patent Owner hereby waives any claim to confidentiality and requests that Exhibits 2048, 2050, 2051, and 2052 henceforth be made viewable to the public. Patent Owner apologizes for any inconvenience.

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U.S. Patent No. 8,251,997 B2
Our Ref. 102.0010-04IPR

II. Conclusion.

In lieu of submission of a motion to seal and protective order, Patent Owner requests that Exhibits 2048, 2050, 2051, and 2052 henceforth be made viewable to the public.

Respectfully Submitted,

Dated: February 7, 2014

/Thomas H. Martin/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this MOTION TO MAKE EXHIBITS 2048, 2050, 2051, and 2052 VIEWABLE TO THE PUBLIC was served in its entirety via electronic mail to APSI@fr.com (referencing Attorney Docket No. 13958-01121P2):

Stephen R. Schaefer
3200 RBC Plaza
60 South Sixth Street
Minneapolis, MN 55402

Michael T. Hawkins
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Date of Service: February 7, 2014

Signature: /Thomas H. Martin/

Thomas H. Martin, Reg. No. 34,383