

UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE

PATENT TRIAL AND APPEAL BOARD

NUVASIVE, INC.
Petitioner

v.

WARSAW ORTHOPEDIC, INC.
Patent Owner

Case IPR2013-00206
Patent 8,251,997

PATENT OWNER'S OBJECTION TO EVIDENCE

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Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Case IPR2013-00206
U.S. Patent No. 8,251,997
Our Ref. 102.0010-04IPR

In accordance with Bd. R. 42.64, Patent Owner objects to the following exhibits submitted by Petitioner under Fed. R. Evid. 401-403 (relevance; confusion); 702 (unreliable); 802 (hearsay); and 901 (authentication) and 37 C.F.R. 42.53, 42.65: NUVASIVE1001. These objections are being timely served within 10 business days of the institution of trial, in accordance with Bd. R. 42.64(b)(1). The institution of trial in this matter occurred on September 23, 2013.

The Patent Trial and Appeal Board is hereby authorized to charge any fees associated with this proceeding to Deposit Account No. 50-3726 (Customer ID 22882).

Respectfully Submitted,

Dated: October 7, 2013



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this PATENT OWNER'S OBJECTION TO EVIDENCE was served in its entirety via electronic mail to APSI@fr.com (referencing Attorney Docket No. 13958-0112IP2):

Stephen R. Schaefer
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Michael T. Hawkins
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Date of Service: October 7, 2013

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