

UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE

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PATENT TRIAL AND APPEAL BOARD

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NUVASIVE, INC.  
Petitioner

v.

WARSAW ORTHOPEDIC, INC.  
Patent Owner

Case IPR2013-00206  
Patent 8,251,997

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**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

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



Thomas H. Martin  
Registration No. 34,383  
Attorney for Patent Owner  
MARTIN & FERRARO, LLP  
1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
Telephone: (330) 877-0700  
Facsimile: (330) 877-2030

### 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

Michael T. Hawkins

3200 RBC Plaza

3200 RBC Plaza

60 South Sixth Street

60 South Sixth Street

Minneapolis, MN 55402

Minneapolis, MN 55402

Date of Service: October 7, 2013

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