

UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE

PATENT TRIAL AND APPEAL BOARD

NUVASIVE, INC.
Petitioner

v.

WARSAW ORTHOPEDIC, INC.
Patent Owner

Case IPR2013-00208
Patent 8,251,997

PATENT OWNER NOTICE OF RELATED MATTERS
37 C.F.R. § 42.8(b)(2)

The following judicial and/or administrative proceedings could affect, or be affected by, a decision in this proceeding:

The '997 patent is the subject of a litigation in the North District of Indiana filed on August 17, 2012, and entitled *Warsaw Orthopedic, Inc., et al. v. Nuvasive, Inc.*, Case No. 3:12-CV-438-JD-CAN (N.D. Ind.). The litigation was subsequently transferred to the Southern District of California, and is now entitled *Warsaw Orthopedic, Inc., et al. v. Nuvasive, Inc.*, Case No. 3:12-cv-02738-CAB (MDD) (S.D. Cal.).

The '997 patent is a is a continuation application of Serial No. 10/371,757, now U.S. Patent No. 8,066,705; which is a continuation application of Serial No. 08/480,461, now U.S. Patent No. 7,491,205; which is a divisional application of Serial No. 08/394,836, now U.S. Patent No. 5,772,661 ("661 patent"). The '661 patent was the subject of a litigation in the Southern District of California, entitled *Medtronic Sofamor Danek USA, Inc., et al., v. Nuvasive, Inc.*, Case No. 08 CV 1512 MMA (MDD) (S.D. Cal.). Subsequent to the filing of the litigation based thereon, the '661 patent was the subject of Reissue Serial No. 12/655,178, which is now abandoned.