

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NUVASIVE, INC.  
Petitioner

v.

WARSAW ORTHOPEDIC, INC.  
Patent Owner

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Cases IPR2013-00395 (Patent 8,444,696)  
IPR2013-00396 (Patent 8,444,696)

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Before SALLY C. MEDLEY, LORA M. GREEN, and STEPHEN C. SIU,  
*Administrative Patent Judges.*

MEDLEY, *Administrative Patent Judge.*

ORDER  
Conduct of the Proceeding  
37 C.F.R. § 42.5

On January 16, 2014, the initial conference call<sup>1</sup> was held between counsel

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<sup>1</sup> The initial conference call is held to discuss the Scheduling Order and any motions that the parties anticipate filing during the trial. Office Patent Trial

IPR2013-00395  
Patent 8,444,696

for the respective parties and Judges Medley, Green, and Siu.

### *Motions*

Neither party seeks authorization to file a motion at this time. As explained, if Patent Owner determines that it will file a motion to amend, Patent Owner must arrange a conference call soon thereafter with the Board and opposing counsel to discuss the proposed motion to amend. *See* 37 C.F.R. § 42.121(a).

The parties were reminded that if they seek authorization to file a motion not contemplated per the Scheduling Order, the party requesting such authorization must arrange a conference call with opposing counsel and the Board.

### *Schedule*

Counsel for the respective parties indicated that they have no issues with the Scheduling Orders entered December 20, 2013.

### *Order*

It is

ORDERED that no motions are authorized at this time.

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Practice Guide, 77 *Fed. Reg.* 48756, 48765 (Aug. 14, 2012).

IPR2013-00395  
Patent 8,444,696

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