

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MEDTRONIC, INC.
Petitioner

v.

NUVASIVE, INC.
Patent Owner

Case IPR2013-00504
Patent 8,361,156

**PATENT OWNER NUVASIVE, INC.'S
MANDATORY NOTICES**

**PATENT OWNER'S MANDATORY NOTICES
UNDER 37 C.F.R. § 42.8**

Pursuant to 37 C.F.R. § 42.8, the patent owner, NuVasive, Inc. (“Patent Owner”), hereby submits the following Mandatory Notices in response to the Petition for *Inter Partes* Review of U.S. Patent No. 8,361,156.

1. Real Party-In-Interest under 37 CFR § 42.8(b)(1)

NuVasive, Inc. is the Patent Owner and the Real Party-In-Interest in this proceeding.

2. Related Matters under 37 CFR § 42.8(b)(2)

The following judicial or administrative matters may affect or be affected by a decision in this proceeding:

Warsaw Orthopedic, Inc. et al. v. NuVasive, Inc., Southern District of California, Case No. 3:12-cv-02738-CAB-MDD, transferred from the Northern District of Indiana and originally filed as Case No. 3:12-cv-00438-JD-CAN. In this litigation, the patent that is the subject of the present Petition was asserted by patent owner, NuVasive, Inc., against Medtronic, Inc. and other of its affiliates by way of counterclaim brought by NuVasive, Inc.

3. Lead and Back-Up Counsel, under 37 CFR § 42.8(b)(3)

The Patent Owner designates the following lead and back-up counsel:

LEAD COUNSEL	BACK-UP COUNSEL
Stephen R. Schaefer, Reg. No. 37,927 3200 RBC Plaza 60 South Sixth Street Minneapolis, MN 55402 Tel: (612) 337-2508 Email: Schaefer@fr.com IPR13958-0116IP1@fr.com Fax: (612) 288-9696	Michael T. Hawkins, Reg. No. 57,867 3200 RBC Plaza 60 South Sixth Street Minneapolis, MN 55402 Tel: (612) 337-2569 Email: Hawkins@fr.com IPR13958-0116IP1@fr.com Fax: (612) 288-9696

4. Service Information under 37 CFR § 42.8(b)(4)(i) *et seq.*

Please address all correspondence and service to both counsel as listed above. Patent Owner consents to service by email at IPR13958-0116IP1@fr.com (ref.: Docket No. 13958-0116IP1).

Respectfully submitted,

Date: September 4, 2013

/Stephen R Schaefer, Reg. No. 37,927/
Stephen R. Schaefer
Reg. No. 37,927

Customer Number 26191
Fish & Richardson P.C.
Telephone: (612) 337-2508
Facsimile: (612) 288-9696

CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4) and 42.205(b), the undersigned certifies that on September 4, 2013, a complete and entire copy of this Patent Owner NuVasive, Inc.'s Mandatory Notices and Power of Attorney were provided via email to the Petitioner by serving the email correspondence address of record as follows:

Jeff E. Schwartz
Seth A. Kramer
Fox Rothschild LLP
1030 15th Street, NW
Washington, DC 20005

Email: ipdocket@foxrothschild.com

 /Edward G. Faeth/

Edward G. Faeth
Fish & Richardson P.C.
60 South Sixth Street, Suite 3200
Minneapolis, MN 55402
(202) 626-6420