

Filed on behalf of: BONUTTI SKELETAL INNOVATIONS LLC Paper ___
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZIMMER HOLDINGS,
INC. and ZIMMER, INC.
Petitioner,

v.

BONUTTI SKELETAL INNOVATIONS LLC

Patent Owner

Case: IPR2014-00191

Patent 7,837,736

**PATENT OWNER'S RESPONSE
PURSUANT TO 37 C.F.R. § 42.120**

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I. Introduction

Pursuant to 35 U.S.C. § 316(a)(8) and 37 C.F.R. § 42.120, Patent Owner Bonutti Skeletal Innovations, LLC ("Bonutti") responds to the Corrected Petition filed by Zimmer Holdings, Inc. and Zimmer, Inc. ("Zimmer") concerning claims 15-22, 26-28, and 31-36 of U.S. Patent No. 7,837,736 ("the '736 patent") (Paper 8).

In the Corrected Petition, the Petitioner sought inter partes review with respect to five separate grounds of unpatentability: (1) anticipation of claims 15-22, 25-28 and 31-36 by U.S. Patent No. 5,755,801 to Walker ("Walker"); (2) obviousness of claims 15-22, 25-28 and 31-36 over Walker in view of U.S. Patent 6,319,283 to Insall ("Insall '283") and/or U.S. Patent 6,068,658 to Insall ("Insall '658"); (3) obviousness of claims 23 and 24 over Walker in view of Insall '658 and/or Insall '283; (4) anticipation of claims 15-16, 18-28, 31 and 34-36 by Insall '658; and (5) anticipation of claims 15-16, 18-22, 25-28, 31 and 34-36 by Insall '283.

Of the three anticipation grounds and two obviousness grounds, the Board instituted review solely with respect to Ground 1: anticipation under 35 U.S.C. 102(b) by Walker, and only with respect to claims 15-22, 26-28, and 31-36. (See Institution Decision, Paper 12, page 17).

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