

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MAKO SURGICAL CORP.,  
Petitioner

v.

BLUE BELT TECHNOLOGIES, INC.,  
Patent Owner

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Case IPR2015-00629  
Patent No. 6,757,582 B2

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**PETITIONER MAKO SURGICAL CORP.'S REPLY  
TO PATENT OWNER RESPONSE**

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**PETITIONER'S EXHIBIT LIST**

<b>Exhibit Description</b>	<b>Exhibit #</b>
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Defendant Blue Belt Technologies, Inc.’s Second Amended Answer to Plaintiffs’ Mako Surgical Corp. & All-Of-Innovation GmbH Complaint; Affirmative Defenses and Counterclaims, filed September 2, 2014, Case No. 0:14-cv-61263-DPG (S.D. Fla.)	1002
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Defendant Blue Belt Technologies, Inc.’s Preliminary Disclosure of Asserted Claims and Infringement Contentions for U.S. Patent No. 6,757,582	1007
Russell H. Taylor et al., <i>An Image-Directed Robotic System for Precise Orthopaedic Surgery</i> , IEEE TRANSACTIONS ON ROBOTICS AND AUTOMATION, Vol. 10, No. 3, June 1994 (“Taylor”)	1008
U.S. Patent No. 5,408,409 (“Glassman”)	1009
U.S. Patent No. 6,205,411 (“DiGioia”)	1010
Scott L. Delp et al., <i>An Interactive Graphics-Based Model of the Lower Extremity to Study Orthopaedic Surgical Procedures</i> , Vol. 37, No. 8, Aug. 1990 (“Delp”)	1011
Catherina Burghart et al., <i>Robot Controlled Osteotomy in Craniofacial Surgery, 1st International Workshop on Haptic Devices in Medical Applications Proceedings, Paris – France</i> , pp. 12-22, June 23, 1999 (“Burghart”)	1012
Jocelyn Troccaz et al., <i>The Use of Localizers, Robots and Synergistic Devices in CAS</i> , LECTURE NOTES IN COMPUTER SCIENCE (Troccaz et al. eds., 1997) (“Troccaz”)	1013

<b>Exhibit Description</b>	<b>Exhibit #</b>
A.M. DiGioia et al., "HipNav: Pre-operative Planning and Intraoperative Navigational Guidance for Acetabular Implant Placement in Total Hip Replacement Surgery," 2nd CAOS Symposium, 1996 ("HipNav")	1014
<i>*Petitioner's Exhibits 1001 – 1014 were previously filed and are simply listed based on 37 C.F.R. § 42.63.</i>	
Kevin Cleary et al., "Image-Guided Interventions: Technology Review and Clinical Applications," Annual Reviews of Biomedical Engineering (2010)	1015
Transcript of Deposition of Dr. Kevin Cleary (January 12, 2016)	1016
THE AMERICAN HERITAGE COLLEGE DICTIONARY (3rd ed. 2000)	1017
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