

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ALPHATEC HOLDINGS, INC. and ALPHATEC SPINE, INC.,
Petitioners,

v.

NUVASIVE, INC.,
Patent Owner.

Case No. IPR2019-00361
Patent No. 8,187,334

PATENT OWNER'S UPDATED EXHIBIT LIST
(as of July 7, 2020)

Exhibit No.	Description
2001	Williams, Peter L., Gray's Anatomy (Churchill Livingstone 38 th ed 1995) (reprinted in 1999)
2002	Declaration of Patrick Miles in Case No. IPR2013-00206
2003	Executive Team – Alphatec Spine, obtained from: https://atecspine.com/executive-team/ on March 15, 2019
2004	U.S. Patent No. 6,830,570 to Frey et al.
2005	U.S. Patent No. 4,349,921 to Kuntz et al.
2006	U.S. Patent No. 6,159,211 to Boriani et al.
2007	U.S. Patent Publication No. 2008/0015701 to Garcia.
2008	U.S. Patent Publication No. 2012/0078374 to Villiers.
2009	The Merriam-Webster Dictionary New Edition (2004)
2010	Appendix B4 Joint Claim Construction Worksheet for U.S. Patent No. 8,361,156 in Case No. 3:18-cv-00347-CAB-MDD
2011	Exhibit 1053 from Declaration of Patrick Miles in Case No. IPR2013-00206
2012	Reserved
2013	Declaration of Jim A. Youssef, M.D. in Case No. 3:18-cv-0347-CAB-MDD
2014	Appendix F to Declaration of Jim A. Youssef, M.D. in Case No. 3:18-cv-0347-CAB-MDD
2015	Reply Declaration of Jim A. Youssef, M.D. in Case No. 3:18-cv-0347-CAB-MDD
2016	U.S. Patent Publication No. 2003/0139812 to Garcia et al.

2017	Transcript of Federal Circuit Oral Argument in Case No. 2015-1670
2018	Luiz Pimenta: Executive Profile & Biography – Bloomberg, obtained from: https://www.bloomberg.com/research/stocks/people/person.asp?personid=52029107&privcapid=21766771 on April 9, 2019
2019	Petition for Inter Partes Review of U.S. Patent No. 8,187,334 in IPR2019-00361
2020	FDA, Establishment Registration & Device Listing, Warsaw Orthopedic, Inc., available at https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfRL/rl.cfm?rid=5810 (last visited April 23, 2019)
2021	Mid Lumbar Axial View diagram from Deposition of Charles Branch (September 24, 2019)
2022	Transcript of Deposition of Charles L. Branch, September 24, 2019
2023	“Longitudinal” and “Medial,” Taber’s Cyclopedic Medical Dictionary, Edition 19 (2001)
2024	“Longitudinal” and “Medial,” Mosby’s Medical, Nursing, & Allied Health Dictionary, 6 th Edition (2002)
2025	“Longitudinal” and “Medial,” PDR Medical Dictionary, First Edition (1995)
2026	“Longitudinal” and “Medial,” Dorland’s Illustrated Medical Dictionary, 30 th Edition (2003)
2027	“Longitudinal” and “Medial,” Butterworths Medical Dictionary, Second Edition (1978)
2028	Declaration of Hansen A. Yuan, M.D. in Case No. IPR2013-00506
2029	Exhibit 4 of Case No. 3:08-cv-01512-CAB-MDD, “AcroMed Corporation, Request for Individual Custom Device”

2030	Exhibit 5 of Case No. 3:08-cv-01512-CAB-MDD
2031	Boomerang™ Verte-Stack™ PEEK Vertebral Body Spacer, Medtronic (2003)
2032	Exhibit U of Case No. 3:18-CV-00347-DMS-BLM, “Battalion™ Lateral Lumbar Spacer System”
2033	Exhibit V of Case No. 3:18-CV-00347-DMS-BLM, “Battalion™ Lateral Lumbar Spacer System”
2034	Exhibit AM of Case No. 3:18-CV-00347-DMS-BLM, “Access GudID – Identify Your Medical Device”
2035	Daniel K. Park, et al., The Relationship of Intrapsoas Nerves During a Transpsoas Approach to the Lumbar Spine, 23 J. Spinal Disord. Tech. 223 (June 2010)
2036	Transcript of Deposition of Kelli Howell, June 1, 2019, Case No. 3:18-cv-00347
2037	Battalion™ Lateral Lumbar Spacer System, Alphatec Spine (2017)
2038	XLIF Surgical Technique, NuVasive (2013)
2039	CoRoent® XL, NuVasive (2006)
2040	Zhong et al., In Vivo Morphological features of Human Lumbar Discs, Medicine 93(28) (December 2014)
2041	“Along,” Dictionary.com, https://www.dictionary.com/browse/along?s=t (Oct. 17, 2019)
2042	“Along,” Merriam-Webster.com, https://www.merriam-webster.com/dictionary/along (Oct. 17, 2019)
2043-2044	Intentionally Left Blank
2045	CAFC Transcript in 2015-1672
2046-2051	Intentionally Left Blank
2052	Declaration of Miles Patrick in IPR2013-00507

2053	Juan S. Uribe, et al., “Can triggered Electromyography Monitoring Throughout Retraction Predict Postoperative Symptomatic Neuropraxia after XLIF? Results from a Prospective Multicenter Trial”, Eur. Spine J. (2015) (Suppl. 3) p. S378-S385
2054	Transcript from Deposition of Patrick S. Miles in IPR2014-00034, -00073, -00074, -00075, -00081 and -00097 (Exhibit-1037)
2055	Declaration of Jim A. Youssef, M.D
2056	Curriculum Vitae of Jim A. Youssef, M.D.
2057	Declaration of Carl R. McMillin, Ph.D.
2058	Curriculum Vitae of McMillan
2059	Declaration of Matthew Link
2060	Transcript of Trial Testimony of Dr. John Brantigan, September 11, 2011, Case No. 08-CV-1512-MMA
2061	September 30, 2019 email from M. Rosato
2062	Errata Sheet for the Transcript of the Record of Oral Hearing

Respectfully submitted,

Date: July 7, 2020

/ Michael T. Rosato /
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