



Confidential Information - Patent Prosecution Sensitive

PLAINTIFF'S
EXHIBIT
CASE
NO. 08CV 01512
EXHIBIT
NO. PX1056

MNUV0188194 1

PX1056-0001

Outline

- I. Executive Summary
- II. Current Environment
- III. Market Plan
 - Mission
 - Objectives
 - Strategies
 - Tactics
- IV. Impact for the Future

Discuss all competitors entering the arena

Executive Summary

- The lateral market is here to stay and XLIF is negatively impacting MDT minimally invasive growth and share
- Our DLIF objectives to reverse this trend are to increase the % of territories selling DLIF to 40% (23% today) by end of FY11 and complete 30,000 DLIF levels (5,500 today) by end of FY12
- To meet these objectives, we must execute on strategies of:
1) Product Pipeline, 2) Training, and 3) Messaging
 - **Product:** Execute time efficient launch of lateral plate, begin shift to innovation with launch of NEMO, unleash innovative new implant design
 - **Training:** Continue focus on effective surgeon and sales training
 - **Messaging:** Expand awareness of DLIF and entire minimally invasive platform across ALL stakeholders as a company
- DLIF is one piece of the fastest growing platform at MSB (>\$200M in CY08 for just minimally invasive fusion)

One Page DLIF Marketing Plan

Objectives

Drive 40% of sales force to sell Clydesdale by end of FY11

Perform 30,000 DLIF levels by the end of FY12 (30% lateral share)

Strategies

Product

Training

Messaging

Key Tactics

- DLIF Dilator Launch
- Time Efficient Launch of Lateral Plate
- Release of Next Gen Retractor (NEMO)
- Introduction of Next Gen Implant
- Surgeon Advisory Board to drive product development priorities

- *Surgeons*: Revamped and focused national trainings on key adoption barriers
- *Sales*: Regional & Distance DLIF Trainings, Sales Communication Plan
- *New Tech/NIM Reps*: Intensive 3 day field visits, monthly update calls

- *Surgeons*: MIS/DLIF journal ad campaign, publication plan finalization
- *Patients*: DLIF Video News Release, patient education materials, refresh of www.lessinvasivespine.com
- *Economic Buyer*: Tools to promote DLIF/MIS economic benefit

Current Environment

9 DLIF Marketing Plan

DLIF IS FOR EVERY SURGEON.



Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.