

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)
Case No. IPR2019-00362 (Patent No. 8,361,156)
Case No. IPR2019-00546 (Patent No. 8,187,334)

**PETITIONERS' ERRATA SHEET FOR
THE TRANSCRIPT OF THE RECORD
OF ORAL HEARING**

**PETITIONERS' ERRATA SHEET FOR THE
TRANSCRIPT OF:**

Case Name: ALPHATEC HOLDINGS, INC. et al. v. NUVASIVE, INC.

Record of Oral Hearing

Hearing Date: April 3, 2020

Page: 10 Line: 17 Reads: “may want to insert this using a tube to do it then and more invasively.”

Should Read: “may want to insert this using a tube to do it then and minimally invasively.”

Page: 13 Lines: 4–5 Reads: “What passes between on the sides of the sidewall.”

Should Read: “What passes between on the sides are the sidewall.”

Page: 19 Lines: 15–17 Reads: “The Federal Circuit never upended the patentability finding of claim 1. It could not have because it didn't have jurisdiction since the aperture (inaudible) was discussed.”

Should Read: “The Federal Circuit never upheld the patentability finding of claim 1. It could not have because it didn't have jurisdiction since the appeal was dismissed.”

Page: 20 Lines: 14–15 Reads: “These were the arguments that they wanted to see (phonetic) during the prior appeal that the Federal Circuit rejected.”

Should Read: “These were the arguments that they wanted to make during the prior appeal that the Federal Circuit rejected.”

Page: 20 Line: 18 Reads: “under L4-L5 implant which ranged right below the table.”

Should Read: “under ‘L4-L5 Implant Width Range’ right below the table.”

Page: 23 Line: 14 Reads: “annulus fibrosus is not showing in the images,”

Should Read: “annulus fibrosus is not shown in the images,”

Page: 25 Lines: 12-14 Reads: “We agreed at length in our petition why the previous, you know, arguments to the Board and to the Federal Circuit that were unsuccessful and resulted in a final judgment of invalidity or binding here.”

Should Read: “We argued at length in our petition why the previous, you know, arguments to the Board and to the Federal Circuit that were unsuccessful and resulted in a final judgment of invalidity are binding here.”

Page: 54 Line: 8 Reads: “That’s the 361, and also is in the remaining petitions.”

Should Read: “That’s the 361, and also is in the related petitions.”

Page: 57 Line: 12–13 Reads: “Michelson says this is my embodiment for one wide cushion implant.”

Should Read: “Michelson says this is my embodiment for one wide push-in implant.”

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Petitioners' Errata Sheet for the transcript of the Record of Oral Hearing was served on May 13, 2020 via email to the following counsel for Patent Owner:

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Respectfully submitted,

Dated: May 13, 2020

/Jovial Wong/
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