

Paper No. _____
Filed: January 3, 2019

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 IPR2019-00362
Patent No. 8,361,156

**PATENT OWNER NUVASIVE, INC.'S
MANDATORY NOTICES UNDER 37 C.F.R. § 42.8**

Case IPR2019-00362

Patent 8,361,156

A. Real Party-In-Interest

In accordance with 37 C.F.R. § 42.8(b)(1), Patent Owner identifies NuVasive, Inc. as the real party-in-interest.

B. Related Matters

In accordance with 37 C.F.R. § 42.8(b)(2), Patent Owner identifies the following related matters:

NuVasive, Inc. v. Alphatec Holdings, Inc. et al., Case No. 3:18-cv-00347-CAB-MDD (S.D.Cal.). The subject patent was also previously challenged in multiple IPRs including *Medtronic, Inc. v. NuVasive, Inc.*, IPR2013-00504, -00506, and IPR2014-00487. Previous decisions from the Board were vacated by the Court of Appeals for the Federal Circuit including *In re: NuVasive, Inc.*, 842 F.3d 1376 (Fed. Cir. 2016).

The following related matters are also identified: *Alphatec Holdings, Inc et al. v. NuVasive, Inc.*, IPR2019-00361 (regarding U.S. Patent No. 8,187,334). See also *Medtronic, Inc. v. NuVasive, Inc.*, IPR2013-00507, -00508 (regarding U.S. Patent No. 8,187,334); *In re: NuVasive, Inc.*, 841 F.3d 966 (Fed. Cir. 2016) (regarding U.S. Patent No. 8,187,334).

Case IPR2019-00362

Patent 8,361,156

C. Lead and Back-up Counsel

In accordance with 37 C.F.R. § 42.8(b)(3), Patent Owner provides the following designation of counsel:

Lead Counsel	Back-Up Counsel
Michael T. Rosato USPTO Reg. No. 52,182 WILSON SONSINI GOODRICH & ROSATI 701 Fifth Avenue, Suite 5100 Seattle, WA 98104 Tel.: 206-883-2529 Fax: 206-883-2699 Email: mrosato@wsgr.com	Paul D. Tripodi II USPTO Reg. No. 40,847 WILSON SONSINI GOODRICH & ROSATI 633 West Fifth Street, Suite 1550 Los Angeles, CA 90071 Tel.: 323-210-2902 Fax: 866-974-7329 Email: ptripodi@wsgr.com
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D. Electronic Service

Patent Owner consents to electronic service by email at the email addresses provided above.

Respectfully submitted,

Date: January 3, 2019

/ Michael T. Rosato /
Michael T. Rosato, Lead Counsel
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Case IPR2019-00362
Patent 8,361,156

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Patent Owner NuVasive, Inc.'s
Mandatory Notices Under 37 C.F.R. § 42.8 and accompanying Power of Attorney
were served on January 3, 2019, at the following electronic service addresses:

Andrew R. Sommer
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Date: January 3, 2019

/ Michael T. Rosato /

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