

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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**ALPHATEC HOLDINGS, INC. AND ALPHATEC SPINE, INC.**  
Petitioner,

v.

**NUVASIVE, INC.,**  
Patent Owner.

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Case No. IPR2019-00362  
United States Patent No. 8,361,156

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**PETITIONER'S NOTICE OF SUBMISSION OF CORRECTED  
EXHIBIT AND REQUEST TO EXPUNGE**

Further to the telephone call received from Mr. Lawrence Banks of the United States Patent and Trademark Office on January 16, 2019 and the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response, Petitioner is concurrently submitting a replacement Exhibit 1018, which is a copy of the Final Written Decision entered in IPR2013-00208. Petitioner respectfully requests that the originally-filed Exhibit 1018, which was a duplicate

of Exhibit 1008, be expunged and replaced with the concurrently-submitted version of Exhibit 1018.

Date: January 17, 2019

Respectfully submitted,

/Andrew R. Sommer/

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## CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(a), I certify that, on January 17, 2019, true and correct copies of the foregoing **PETITIONER'S NOTICE OF SUBMISSION OF CORRECTED EXHIBIT AND REQUEST TO EXPUNGE**, were served by via email to the following counsel for the Patent

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