

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Michelson
U.S. Patent No.: 8,251,997 Attorney Docket No.: 13958-0112IP1
Issue Date: August 28, 2012
Appl. Serial No.: 13/306,583
Filing Date: November 29, 2011
Title: METHOD FOR INSERTING AN ARTIFICIAL IMPLANT BETWEEN TWO
ADJACENT VERTEBRAE ALONG A CORONAL PLANE

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**CORRECTED PETITION FOR *INTER PARTES* REVIEW OF UNITED STATES PATENT
NO. 8,251,997 PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42**

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	2. “the length of said implant being sized to occupy substantially the full transverse width of the vertebral bodies of the two adjacent vertebrae, the length of said implant being greater than the depth of the disc space” (claim 1).....	5
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NUVASIVE1001	Declaration of Dr. McAfee, M.D., M.B.A.
NUVASIVE1002	U.S. Patent No. 8,251,997 to Michelson (“997 Patent”)
NUVASIVE1003	Select Prosecution History of the ‘997 patent
NUVASIVE1004	U.S. Pat. No. 4,545,374 to Jacobson (“Jacobson”)
NUVASIVE1005	Leu et al., <i>Percutaneous Fusion of the Lumbar Spine</i> , Spine Vol. 6, No. 3, pp. 593-604 (September 1992) (“Leu”)
NUVASIVE1006	U.S. Pat. No. 5,192,327 to Brantigan (“Brantigan”)
NUVASIVE1007	U.S. Pat. No. 4,917,704 to Frey et al. (“Frey”)
NUVASIVE1008	U.S. Pat. No. 5,015,247 to Michelson (“Michelson ‘247”)
NUVASIVE1009	European Pub. No. EP 0567424A1 to Alacreu (“Alacreu”)
NUVASIVE1010	Baulot et al., <i>Adjuvant Anterior Spinal Fusion Via Thoracoscopy</i> , Lyon Chirurgical Vol. 90, No. 5, pp. 347-51 (1994) (“Baulot”)
NUVASIVE1011	English Translation of Baulot and Certificate of Translation
NUVASIVE1012	Rosenthal et al., <i>Removal of a Protruded Thoracic Disc Using Microsurgical Endoscopy</i> , Spine Vol. 19, No. 9, pp. 1087-91 (1994) (“Rosenthal”)
NUVASIVE1013	U.S. Pat. No. 4,573,448 to Kambin (“Kambin”)
NUVASIVE1014	WO 94/28824 to Michelson (“Michelson PCT”)

NUVASIVE1015

U.S. Pat. No. 5,772,661 to Michelson ("Michelson '661")

NUVASIVE1016

U.S. Pat. No. 8,343,224 to Lynn et al. ("Lynn")

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