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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
60/557,536	03/29/2004	Matthew Curran	104 PRV

 30328
 NU VASIVE, INC.
 10065 OLD GROVE ROAD
 SAN DIEGO, CA 92131

CONFIRMATION NO. 3587
FORMALITIES LETTER


OC000000012817729

Date Mailed: 06/01/2004

NOTICE TO FILE MISSING PARTS OF PROVISIONAL APPLICATION
FILED UNDER 37 CFR 1.53(c)
Filing Date Granted

An application number and filing date have been accorded to this provisional application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 80 to complete the basic filing fee for a small entity.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$25 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

 Total additional fee(s) required for this application is **\$105** for a Small Entity

- **\$80** Statutory basic filing fee.
- **\$25** Late oath or declaration Surcharge.

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*A copy of this notice **MUST** be returned with the reply.*

T. Kelly

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PART 3 - OFFICE COPY

16711 U.S. PTO
032904

PTO/SB/16 (01-04)

Approved for use through 07/31/2006. OMB 0651-0032
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PROVISIONAL APPLICATION FOR PATENT COVER SHEET

This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53(c).

Express Mail Label No. ER 310993525 US

17548 U.S. PTO
60/57536
032904

INVENTOR(S)					
Given Name (first and middle [if any])		Family Name or Surname		Residence (City and either State or Foreign Country)	
Matt HEW		Curran		San Diego, California	
Additional inventors are being named on the _____ separately numbered sheets attached hereto					
TITLE OF THE INVENTION (500 characters max)					
SYSTEM AND METHODS FOR SPINAL FUSION					
Direct all correspondence to: CORRESPONDENCE ADDRESS					
<input checked="" type="checkbox"/> Customer Number:		30328			
OR					
<input type="checkbox"/> Firm or Individual Name					
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Address					
City		State		Zip	
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ENCLOSED APPLICATION PARTS (check all that apply)					
<input checked="" type="checkbox"/> Specification Number of Pages 27		<input type="checkbox"/> CD(s), Number _____			
<input checked="" type="checkbox"/> Drawing(s) Number of Sheets 17		<input checked="" type="checkbox"/> Other (specify) Postcard			
<input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76					
METHOD OF PAYMENT OF FILING FEES FOR THIS PROVISIONAL APPLICATION FOR PATENT					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		FILING FEE Amount (\$) 80.00			
<input type="checkbox"/> A check or money order is enclosed to cover the filing fees.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge filing fees or credit any overpayment to Deposit Account Number: _____					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.					
<input checked="" type="checkbox"/> No.		Yes, the name of the U.S. Government agency and the Government contract number are: _____			

[Page 1 of 2]

Respectfully submitted,

Date March 29, 2004

SIGNATURE _____

REGISTRATION NO. 40,182

TYPED or PRINTED NAME Jonathan D. Spangler

(if appropriate)

Docket Number: ~~109PRV~~ 104PRV

TELEPHONE (858) 243-0029

USE ONLY FOR FILING A PROVISIONAL APPLICATION FOR PATENT

This collection of information is required by 37 CFR 1.51. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Provisional Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service (Express Mail No. ER 310993525 US) under 37 CFR 1.10 on March 29, 2004 and is directed to: Mail Stop: Provisional Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jonathan D. Spangler

**PROVISIONAL APPLICATION
FOR UNITED STATES LETTERS PATENT**

5

SYSTEMS AND METHODS FOR SPINAL FUSION

10

By Inventor:

MATTHEW CURRAN

a citizen of the United States
Carlsbad, California

15

Filed:

March 29, 2004

SYSTEMS AND METHODS FOR SPINAL FUSION

BACKGROUND OF THE INVENTION

I. Field of the Invention

5 The present invention relates generally to spinal surgery and, more particularly, to a system and method for spinal fusion comprising a spinal fusion implant of non-bone construction releasably coupled to an insertion instrument dimensioned to introduce the spinal fusion implant into any of a variety of spinal target sites.

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II. Discussion of the Prior Art

 Currently there are nearly 500,000 spine lumbar and cervical fusion procedures performed each year in the United States. Such procedures are commonly performed to correct problems, such as chronic back or neck pain, which
15 result from degenerated intervertebral discs or trauma. Generally, spinal fusion procedures involve removing some or all of the diseased or damaged disc, and inserting one or more intervertebral implants into the resulting disc space. Introducing the intervertebral implant serves to restore the height between adjacent vertebrae (“disc height”), which reduces if not eliminates neural impingement
20 commonly associated with a damaged or diseased disc.

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