

Plaintiff's Preliminary Infringement Claim Chart
Spinelogik, Inc. v. Globus Medical, Inc.
Cause No.: 2:23-cv-529
U.S. Patent No. 9,730,805
Asserted Claims: 1, 5, 6, 11, 15, 16 and 17.

Plaintiff provides this Infringement Chart based upon its best reasonable evaluation of publicly available information as of the date of service hereof. Most, if not all, of the infringing functionality is proprietary to Defendant; thus, Plaintiff reserves its right to supplement these Contentions as necessary following full technical production on the part of Defendant and following full review of the relevant historical source code for the Accused Instrumentalities by Plaintiff's experts to be designated in due course of this litigation.

As of the date of preparation of this Infringement Chart, which is being undertaken without the benefit of discovery, Plaintiff believes and alleges that each element is literally present in the Accused Instrumentalities. To the extent discovery reveals infringement occurs in manners or using systems different than those believed to be made, used, and sold by Defendant, Plaintiff intends to argue that such differences are nevertheless infringing under the Doctrine of Equivalents.

This Infringement Chart is applicable to methods practiced and/or implemented by or in connection with all iterations of the Accused Instrumentalities made, used, sold, and/or offered for sale, from and after the date falling prior to the date of filing of the Original Complaint in this litigation, and extending through the expiration of the '794 Patent. Plaintiff contends, and hereupon alleges, that all such iterations, versions, and progressively more robust implementations of the Accused Instrumentalities during the period of infringement nevertheless infringe the Asserted Claims in substantially the same or identical manner as is set forth herein.

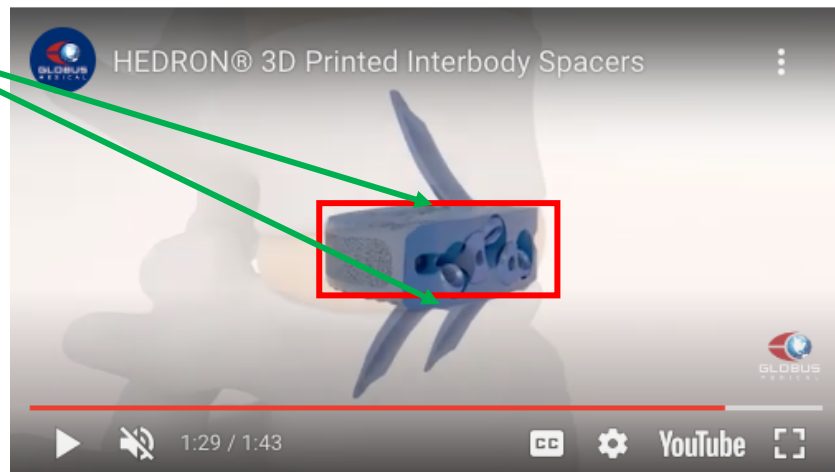
In preparing these Charts, and for the sake of completeness, Plaintiff has included the preambles for each Asserted Claim. In so doing, Plaintiff does not contend that such preambles are in any way limiting on any Asserted Claim.

For each element of these Charts, it is herein alleged to infringe literally, or in the alternative, under the doctrine of equivalents.

Claim Chart - Preliminary Draft for Review Purposes Only

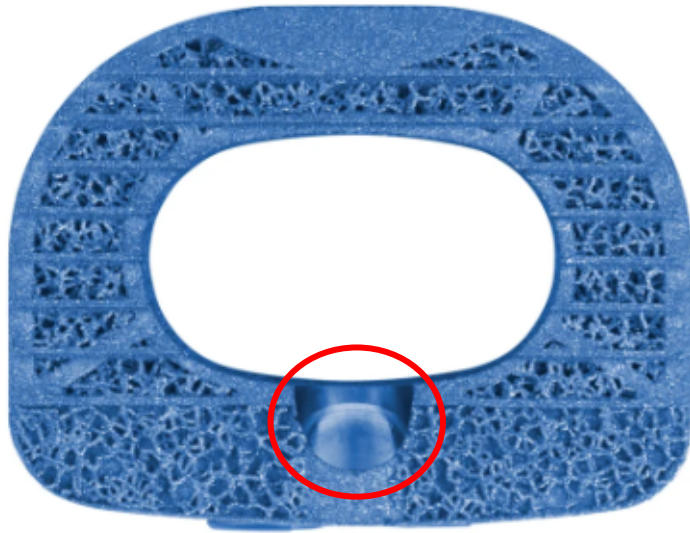
US 9,730,805	Globus – Hedron IA
1. An apparatus comprising:	<p>Product Overview</p> <p><u>HEDRON IA</u>[®] is a 3D Printed Integrated ALIF spacer that features a biomimetic porous scaffolding designed to encourage cellular response and promote bone formation onto and through the implant.</p>  <p>https://www.globusmedical.com/products/hedron-ia/</p>

a fusion member
for positioning
between two
vertebral bodies,



<https://www.globusmedical.com/products/hedron-ia/>

the fusion member
having a first
plurality of
channels,



<https://www.globusmedical.com/products/hedron-ia/>



<https://www.globusmedical.com/products/hedron-ia/>

each channel of the first plurality of channels having an opening on a same side of the fusion member;



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a delivery mechanism for delivering the fusion member between the two vertebral bodies,



<https://www.globusmedical.com/products/hedron-ia/>



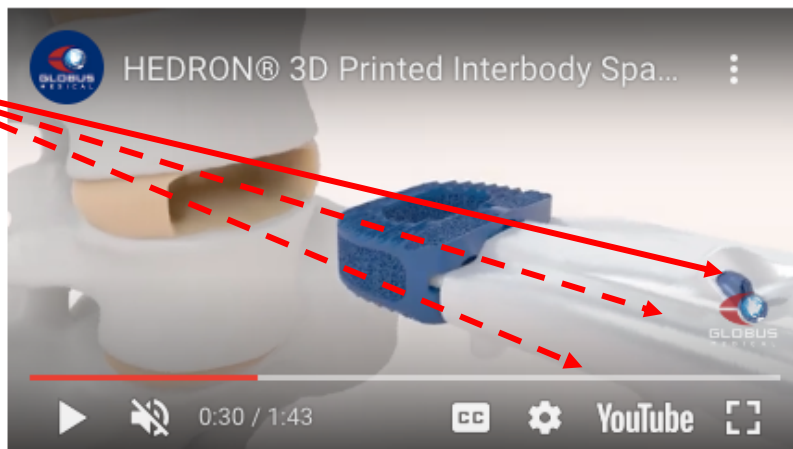
<https://www.globusmedical.com/products/hedron-ia/>

the delivery mechanism extending outside a patient's body to a medical practitioner while the delivery mechanism is coupled to the fusion member and the fusion member is positioned between the two vertebral bodies,



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the delivery mechanism having a second plurality of channels,



<https://www.globusmedical.com/products/hedron-ia/>



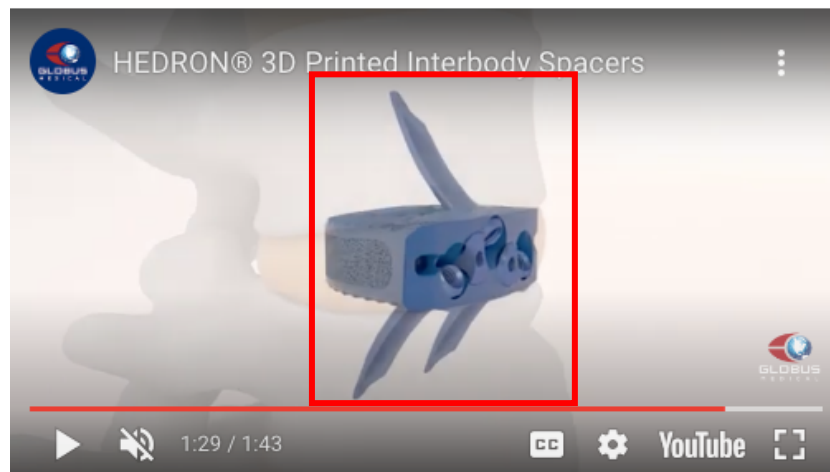
<https://www.globusmedical.com/products/hedron-ia/>

wherein each channel of the first plurality of channels is configured to be aligned with a different channel of the second plurality of channels when the delivery mechanism delivers the fusion member between the two vertebral bodies; and



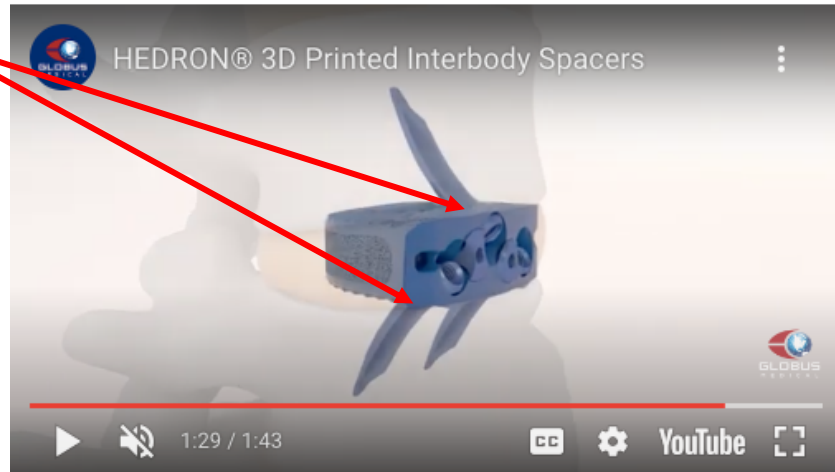
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a plurality of independent anchoring members configured to secure the fusion member to the vertebral bodies,



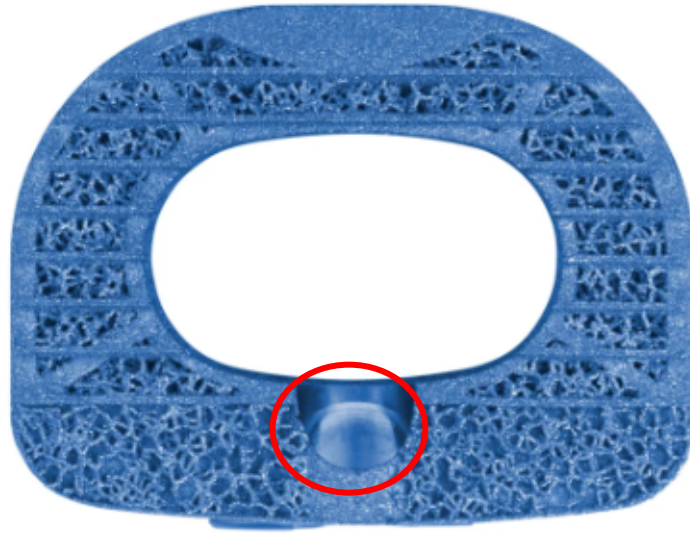
<https://www.globusmedical.com/products/hedron-ia/>

each independent anchoring member for (i) traversing through a different channel of the fusion member, (ii) penetrating into one of the vertebral bodies, (iii) coupling the fusion member to the penetrated vertebral body, and (iv) preventing decoupling of the fusion member from the penetrated vertebral body.



<https://www.globusmedical.com/products/hedron-ia/>

5. The apparatus of claim 1, wherein each channel of the fusion member is curved.



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6. The apparatus of claim 1, wherein traversing through the different channel of the fusion member comprises entering the different channel of the fusion member through a corresponding channel of the delivery mechanism.



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11. A fusion device comprising:

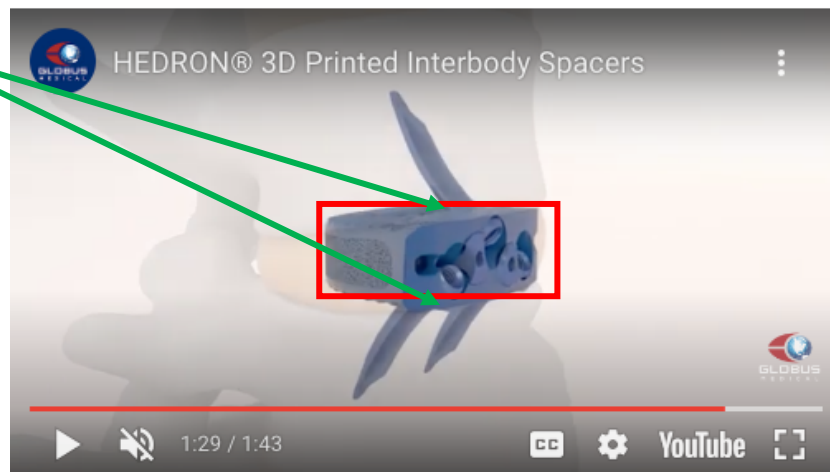
Product Overview

HEDRON IA[®] is a 3D Printed Integrated ALIF spacer that features a biomimetic porous scaffolding designed to encourage cellular response and promote bone formation onto and through the implant.



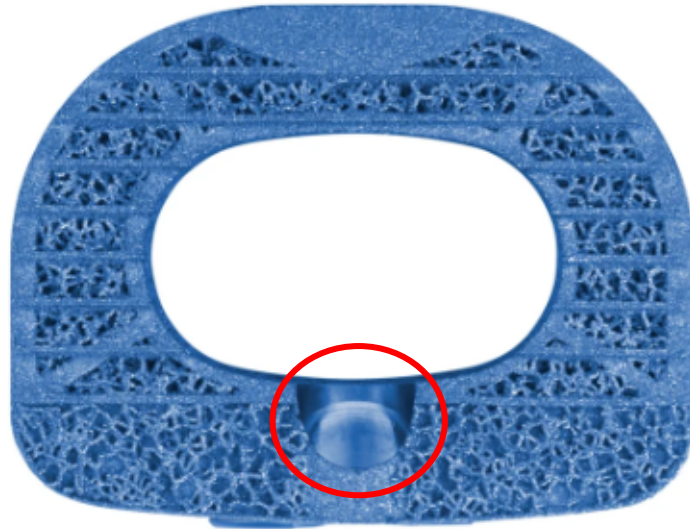
<https://www.globusmedical.com/products/hedron-ia/>

a fusion member
for positioning
between two
vertebral bodies,



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the fusion member
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plurality of
channels,



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each channel of the first plurality of channels having an opening on a same side of the fusion member;



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a delivery mechanism for delivering the fusion member between the two vertebral bodies,

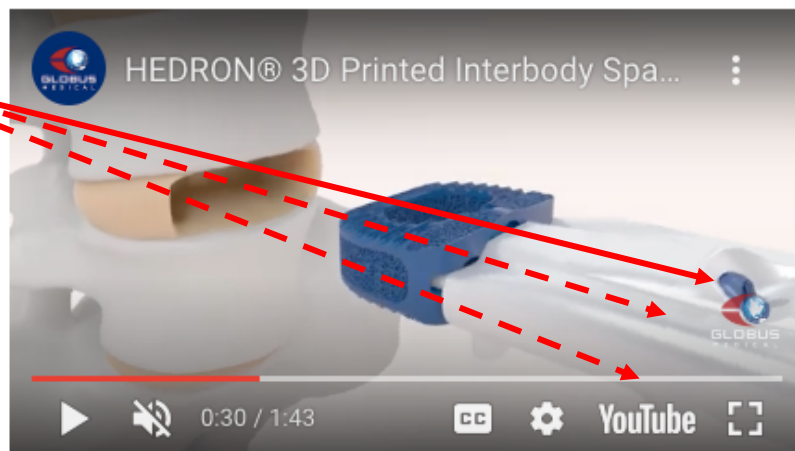


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the delivery mechanism having a second plurality of channels,

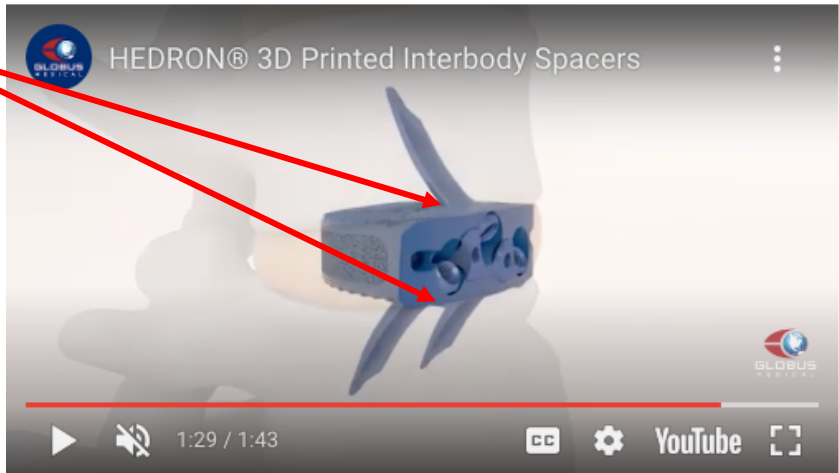


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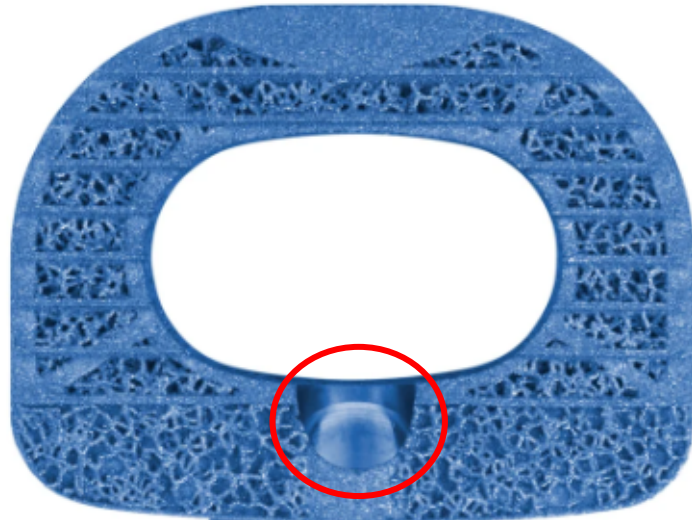


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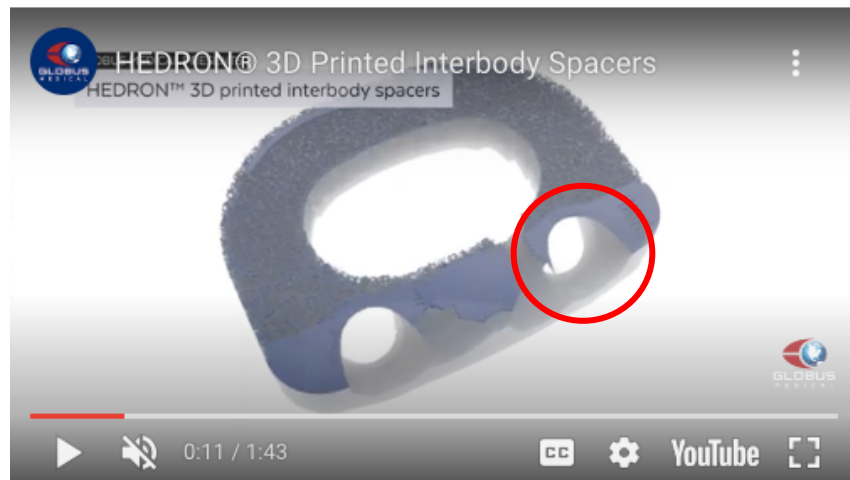
<p>wherein each channel of the first plurality of channels is configured to be aligned with a different channel of the second plurality of channels when the delivery mechanism delivers the fusion member between the two vertebral bodies;</p>	 <p>https://www.globusmedical.com/products/hedron-ia/</p>
<p>and the delivery mechanism extending outside a patient's body to a medical practitioner while the delivery mechanism is coupled to the fusion member and the fusion member is positioned between the two vertebral bodies,</p>	 <p>https://www.globusmedical.com/products/hedron-ia/</p>

<p>a plurality of independent anchoring members configured to secure the fusion member to the vertebral bodies, each independent anchoring member for (i) coupling the fusion member to the vertebral body, and (ii) preventing decoupling of the fusion member from the vertebral body.</p>	 <p>https://www.globusmedical.com/products/hedron-ia/</p>
<p>15. The fusion device of claim 11 further comprising a driving member configured to drive each independent anchoring member through the delivery mechanism.</p>	 <p>https://www.globusmedical.com/products/hedron-ia/</p>

16. The fusion device of claim 11, wherein each channel of the fusion member is curved.



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17. The fusion device of claim 11, wherein each independent anchoring member is further for entering the different channel of the fusion member through a corresponding channel of the delivery mechanism in order to couple the fusion member to the penetrated vertebral body.



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