



**Petitioner Globus Medical, Inc.'s Demonstrative
Exhibits in IPR2025-00225**

Oral Hearing
Patent Trial and Appeal Board
April 21, 2026

Presented By
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Cabello Hall Zinda, PLLC

Level of Ordinary Skill in the Art

a bachelor's or equivalent degree in mechanical engineering or a related discipline (e.g., biomedical engineering, metals and materials engineering), and at least five years of experience with a) designing, developing, evaluating and/or using spine devices, b) anatomy, physiology and biology of soft and calcified tissues including bone healing and fusion, and c) biomechanical and functional loading of orthopedic implants.

Paper 9, 9 (citing Ex. 1002 ¶¶ 77-78).

- Petitioner relies on declaration of Brad Culbert (Ex. 1002) for evidence relating to a person of ordinary skill in the art.
- PO failed to cross-examine Mr. Culbert.
- PO also failed to offer any rebuttal expert testimony or submit any evidence of its own.

*Construction: “anchoring member”

- No support for reading any of these requirements into “anchoring member.”
- The specification contradicts PO’s limiting attempts:
 - No “Push-In/Hammered/Barbed” Requirement or “Threaded Screw” Exclusion: “anchoring members of some embodiments ***have threads ... The threads allow the anchoring members to be screwed into the desired position.***” Ex. 1001, 23:60-24:4.
 - No “PMMA Injection” Requirement: “the anchoring members may be ***without a central lumen.***” Ex. 1001, 25:61-62. Also contradicted by PO’s Infringement Contentions—Petitioner’s accused anchors do ***not*** have this capability. Ex. 1110 – Ex. 1113. Unchallenged claims 7 and 20 recite a “passageway” for a “polymer,” the challenged claims do not.
 - No “Flexible” Requirement: “the anchoring members ... are flexible in ***some*** embodiments, while being ***rigid*** in others embodiments.” Ex. 1001, 22:27-30. Also contradicted by PO’s Infringement Contentions—Petitioner’s accused anchors are ***rigid***. Ex. 1110 – Ex. 1113. Unchallenged claims 18–20 recite “flexible material,” the challenged claims do not.
 - No “Flange” Requirement: “In ***some*** embodiments, flanges ... at the base of the anchoring members fit into recesses.” Ex. 1001, 15:63-67. Unchallenged claim 13 requires anchor member “flanges,” the challenged claims do not.

*Construction: “anchoring member”

PO's Positions Are Contradicted by Their Infringement Theory

Plaintiff's Preliminary Infringement Claim Chart

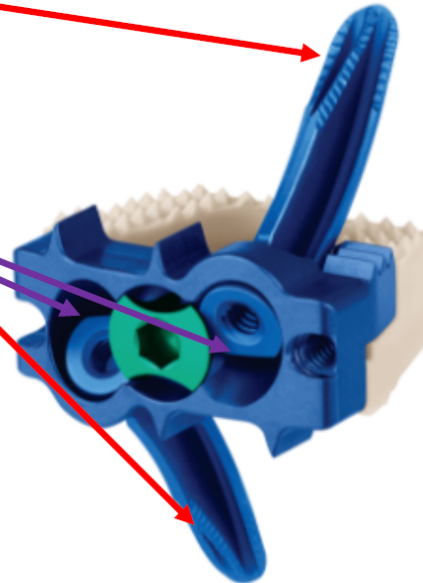
Spinelogik, Inc. v. Globus Medical, Inc.

Cause No.: 2:23-cv-529

U.S. Patent No. 9,730,805

Asserted Claims: 1, 5, 6, 11, 15, 16 and 17.

each
independent
anchoring
member for (i)
traversing
through a
different
channel of the
fusion member,



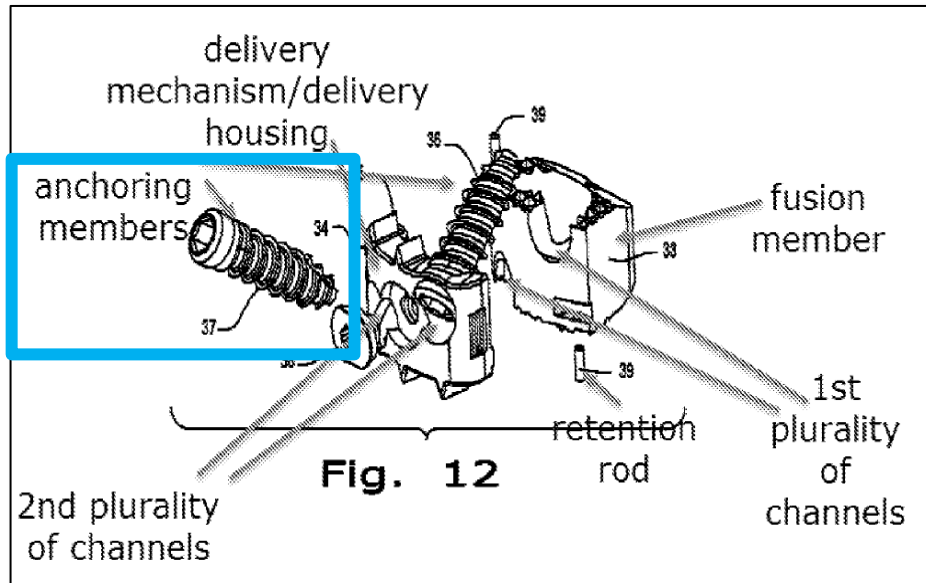
<https://www.globusmedical.com/products/coalition-mis-spacer/>

- Anchors have NO injection capability
- Anchors are NOT flexible

Ex. 1111, 11.

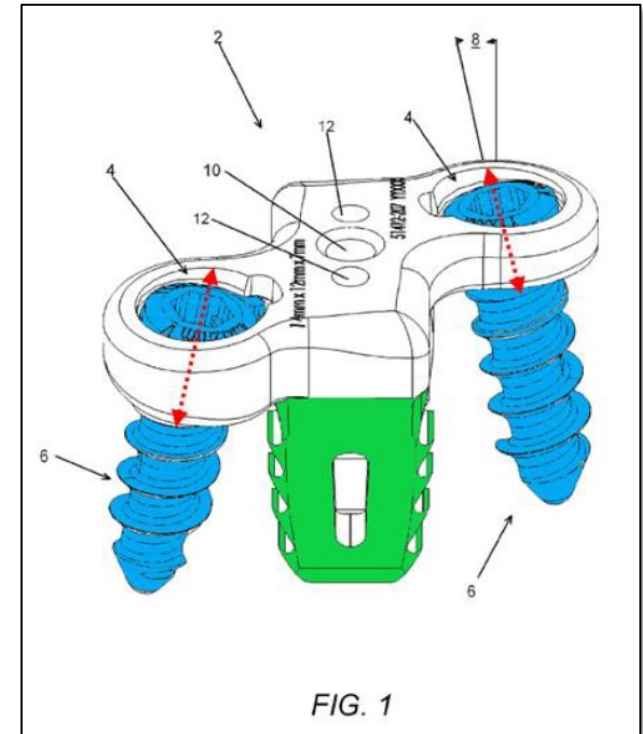
*Construction: “anchoring member”

“Anchoring Members” of Duffield (as mapped by Examiner)



Ex. 1003, 111.

Blain’s “Anchoring Members”



Paper 1, 44.

Construction: “housing” (cls. 2-4)

Plain and Ordinary Meaning

“a component that protects, covers, supports, or contains another component”

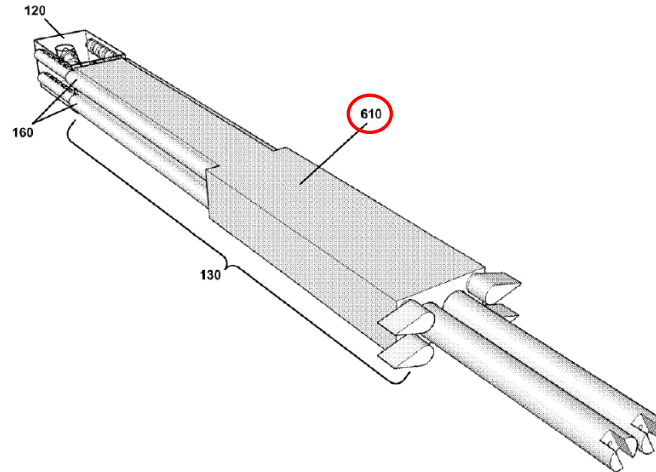


Figure 6

Specification: “the delivery housing channels **house** and guide the anchoring mechanism....”
Ex. 1001, 13:25-27.

Amer. Heritage Dict. – “Something that covers, protects or supports” Ex. 1009, 5.

Webster’s Dict. – “a frame, box, etc. for containing some part, mechanism, etc.” Ex. 1007, 5.

Oxford Dict. – “rigid casing, esp. for machinery etc.” Ex. 1008, 5.

PO's Unsupported Limitations

- **No support** for requiring that the “retention mechanism” be in the “delivery housing.” Claim 2 merely requires that the “delivery housing” guides “each independent anchoring member.”
- **No support** for requiring housing to be “unified.”
- **No support** for requiring housing to “permanently” house. The Specification itself teaches the anchoring members are “housed” during deployment. *See e.g.*, Ex. 1001, 13:25-27.
- **No support** for excluding a housing formed of “separate structural components” that “form a modular assembly.”

Construction: “channel ... is curved” (cls. 5, 16)

Patent Owner: “a channel following a curved trajectory through the fusion member.” Paper 13, 14.

Petitioner: “channel ... [that] has a curved path.” Paper 15, 13 (citing Ex. 1022, 2).

Indistinguishable Constructions – Parties Agree

PO's Implicit Constructions

Term	Spinelogik's Interpretation
"channels" (all claims)	"internal channel geometry designed to guide flexible anchoring members along curved trajectories," and excluding "straight-through apertures" (POR, 35)
"anchoring member" (all claims)	"push-in" with "proximal flange locking" and "PMMA injection capability" that must be "tapped, hammered, or simply pushed" into place, "barbed, flexible pins inserted by linear force" and excluding "threaded screws" (POR, 2–3, 41–43, 53)
"delivery mechanism" (all claims)	A "unified housing" that "contains channels for both anchoring members and retention mechanisms within a single unified component" (POR, 39–40)
"delivery housing" (claims 2, 4)	"unified," "permanently housing" and excluding "temporary" housing (POR, 44–45).
"retention rod" (claim 3)	"guided by dedicated channels" with "retention teeth" that "directly engage grooves on the lateral surfaces of the fusion member" and excluding "internal" rods (POR, 47–48)
"driving member" (claim 15)	"specialized component designed to apply linear, axial force" and "specifically configured to decouple from" the anchor and excluding driving members that apply rotational force to drive (POR, 56–57)

PO Knows the Law

Spinelogik's Opening Claim Construction Brief

Cir. 2009). It is the claims, “not specification embodiments,” which define the scope of patent protection; “[t]he patentee is entitled to the full scope of his claims” and is not limited “to his preferred embodiment” and the Court will not “import a limitation from the specification into the claims.” *Kara Tech Inc. v. Stamps.com Inc.*, 582 F.3d 1341, 1348 (Fed. Cir. 2009); *see also Comaper Corp. v. Antec, Inc.*, 596 F.3d 1343, 1348 (Fed. Cir. 2010) (cautioning “against confining the claims to [preferred] embodiments”). Even where “a patent describes only a single embodiment, the claims should not be construed as limited to that embodiment” absent a clear disavowal of claim scope. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1323 (Fed. Cir. 2005); *see also Linear Tech Corp. v. ITC*, 566 F.3d 1049, 1057–58 (Fed. Cir. 2009) (explaining that it is improper to limit a claim to embodiments described in the specification where “there is no clear intention to limit the claim scope”).

Ex. 1041, 5.

Overview of Grounds

Ground	Claims	Basis	References
1	1–6, 11, 12, 15–17	§ 102/103	<u>U.S. Patent 8,172,854 (“Blain”)</u>
2	1–6, 11, 12, 15–17	§ 103	<u>Blain</u> and U.S. Patent No. 7,985,255 (“Bray”)
3	5, 16	§ 103	<u>Blain</u> (with or without Bray) and U.S. Patent No. 4,790,303 (“Steffee”)

*Ground 1: Blain Discloses the “Extending Outside” Limitation

1.2.2/11.2.2 “the delivery mechanism extending outside a patient’s body to a medical practitioner while the delivery mechanism is [A] coupled to the fusion member and [B] the fusion member is positioned between the two vertebral bodies,”

- POSAs understood handle-design with shafts 22 to be for implant manipulation from outside the patient’s body, because a physician would otherwise be required to insert his or her hand into the patient’s body during deployment. *Id.* ¶¶ 119-120.
- Numerous references show such design is for this purpose. *Id.* ¶ 120 (citing Ex. 1027, 5:43–56; Ex. 1029, 9:55–56, 10:45–54; Ex. 1023, 7:6–9, 31–43; Ex. 1024, 15:28–37; Ex. 1026, 7:18–29; Ex. 1025, 5:8–13; Ex. 1028 ¶¶[0012], [0022])).
- POSAs understood based on relative dimensions of **implant** and **guide instrument** in figures that guide instrument would extend outside patient’s body. *Id.* ¶¶ 121-122.

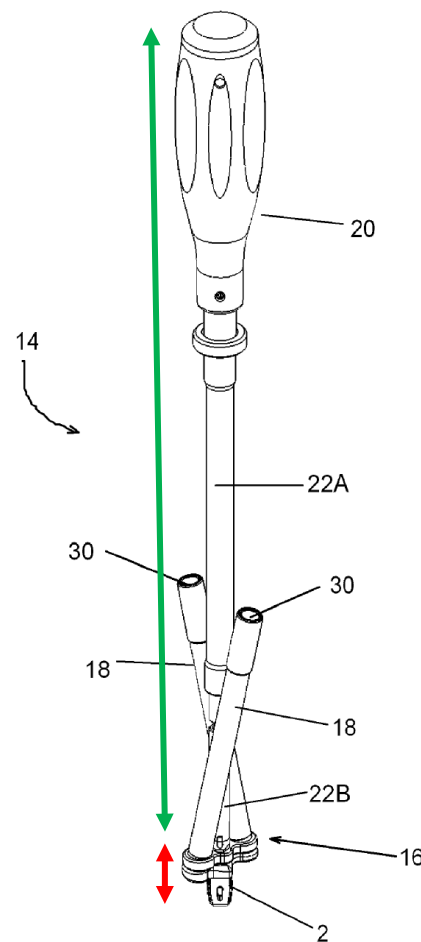


FIG. 3A

*Ground 1: Blain Discloses the “Extending Outside” Limitation (Continued)

- PO admits that Blain “suggests that the handle may be removed precisely to **avoid extending outside the patient’s body** during fastener insertion.” Paper 13, 38. This is an admission that Blain teaches this limitation, because Blain teaches that the handle can be *permanently fixed* (non-removable), which would mean it extends outside the patient’s body during surgery.

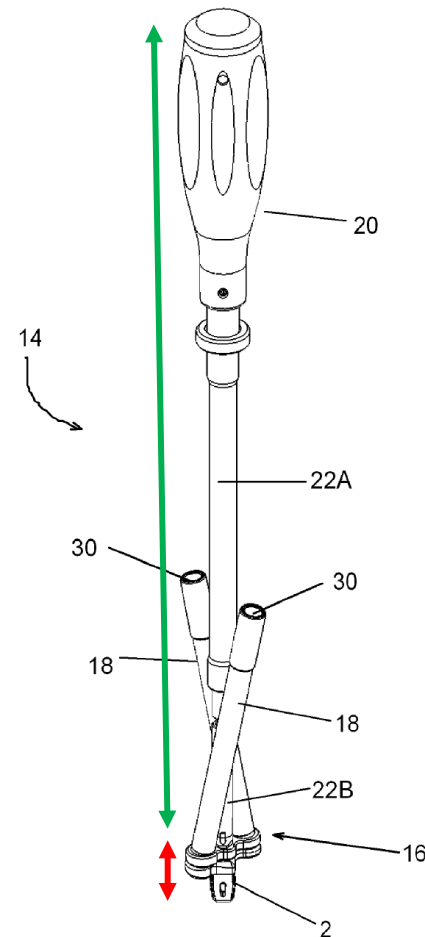


FIG. 3A

*Ground 1: The “Extending Outside” Limitation Was Obvious

- Obvious based on general knowledge of POSAs to make length of shaft 22 of instrument guide 14 sufficiently long so physician wouldn't have to stick hand inside the incision location, allowing for smaller incision and more minimally invasive procedure. Ex. 1002 ¶¶ 123-124 (citing Ex. 1027, 5:43-56; Ex. 1029, 9:55-56, 10:45-54; Ex. 1023, 7:6-9, 31-43; Ex. 1024, 15:28-37; Ex. 1026, 7:18-29; Ex. 1025, 5:8-13; Ex. 1028 ¶¶ [0012], [0022])).
- Also obvious to avoid hand obscuring X-ray imaging process used during surgery. *Id.* ¶ 125.
- This modification was also common sense—external manipulation plainly better option than hand inside patient. *Id.*
- Blain teaches: “the relative lengths between the proximal shaft 22A and the distal shaft 22B can vary,” suggesting manipulation outside the body and simplicity of making this modification. Ex. 1004, 5:4-6.
- So obvious that the Specification does not explicitly disclose it. Paper 13, 37 (PO admitting “specification itself never explicitly discloses that its delivery mechanism extends outside a patient's body.”)

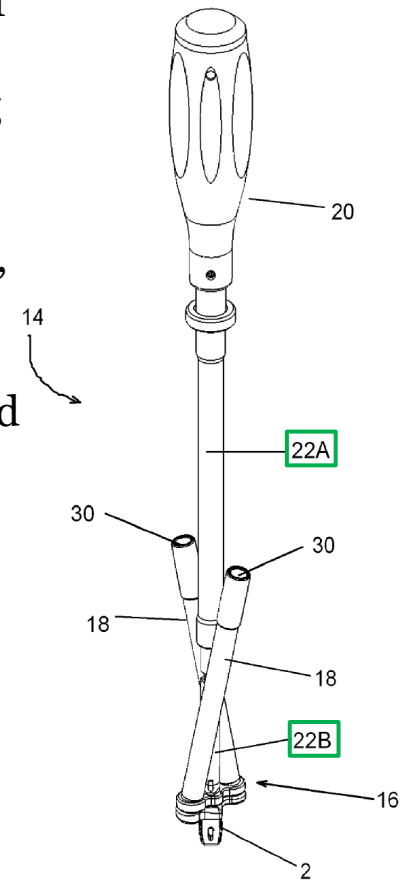
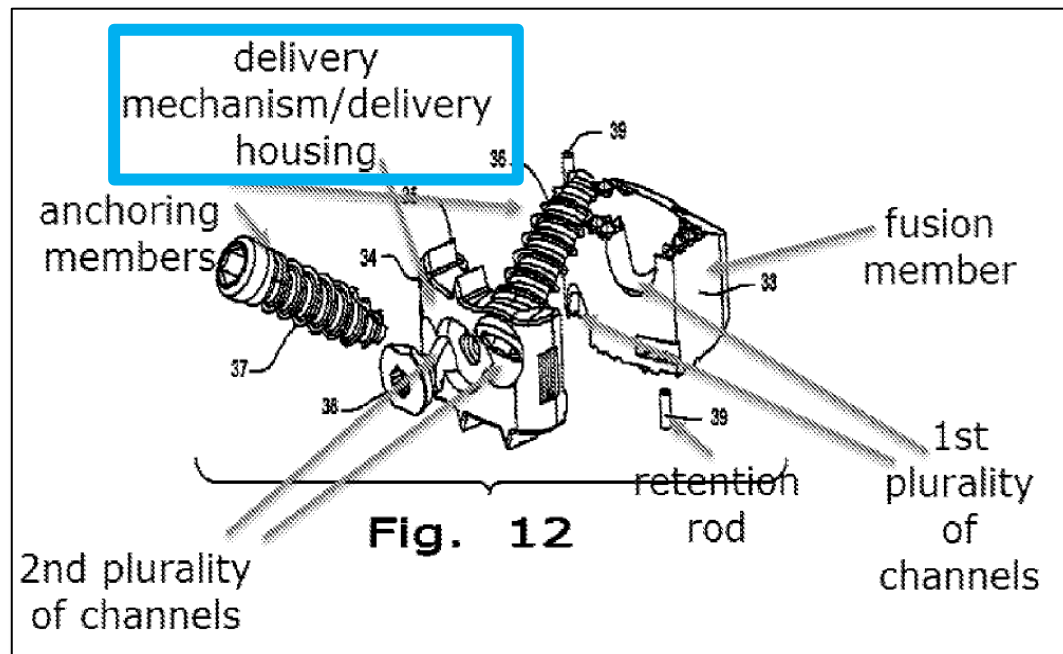


FIG. 3A

“Extending Outside” Was Mis-Mapped By The Examiner—It Is a Trivial, Non-inventive Feature.

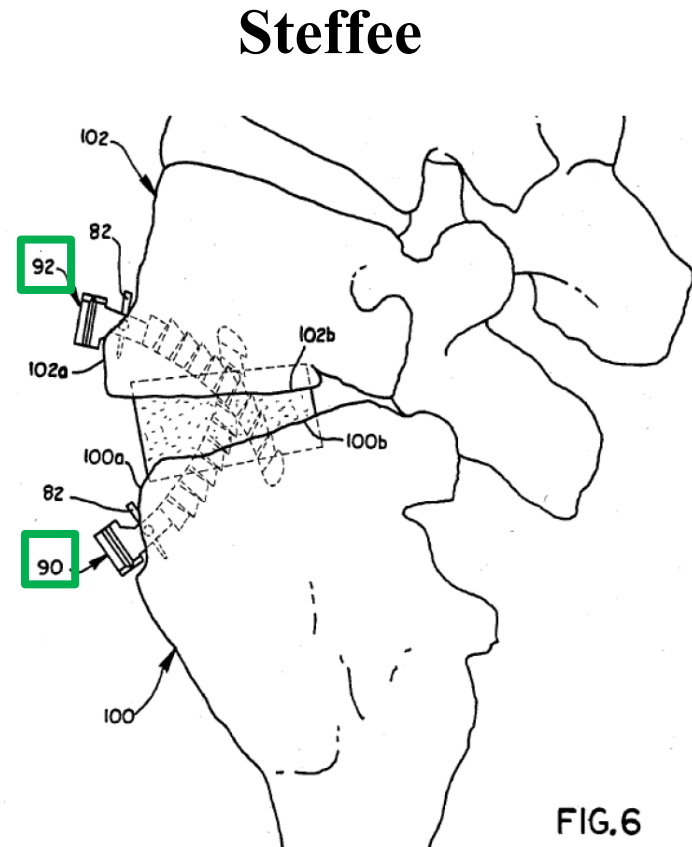
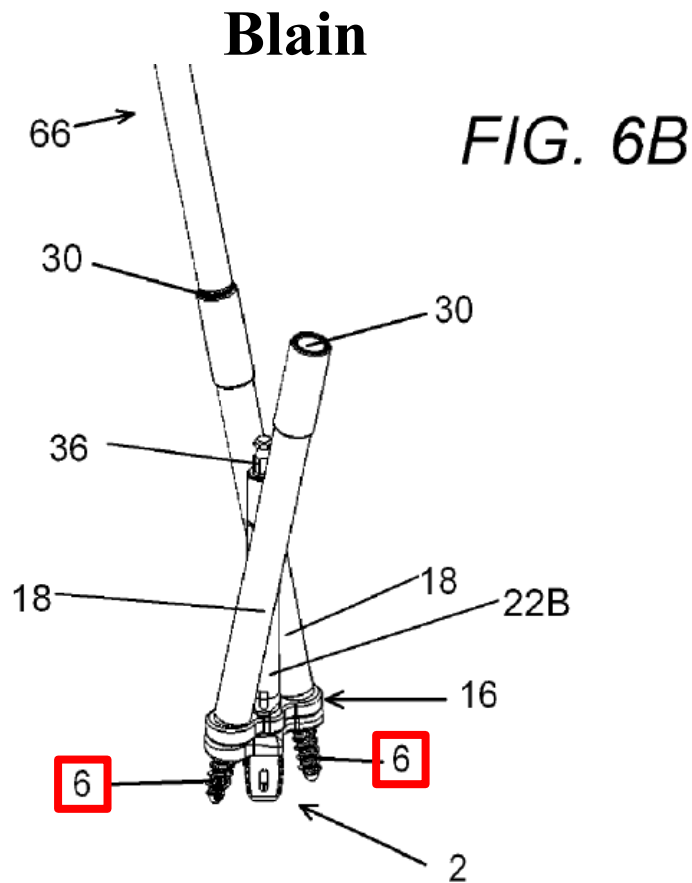


Ex. 1003 at 11

PO admits that the Examiner erred by mapping the “delivery mechanism” to Duffield’s fusion member, rather than the device actually used to deliver the implant. *See* Paper 13, 12 (alleging “Petitioner could improperly argue that the fusion member itself serves as the ‘delivery housing,’ thereby collapsing the distinction between the fusion member and the delivery mechanism—*the same error the Examiner made with Duffield.*”)

*Ground 3: The Combination

Replace **Blain's** straight anchors (**6**) with **Steffee's** curved anchors (**90, 92**), which necessitates: (A) modifying the channels of Blain's fusion implant 2 and guide instrument 14 to be curved to accommodate the anchor curvature and (B) using impact driving tool instead of screwdriver (as expressly taught by Steffee).



***Ground 3: Analogous Art**

Same Field of Endeavor

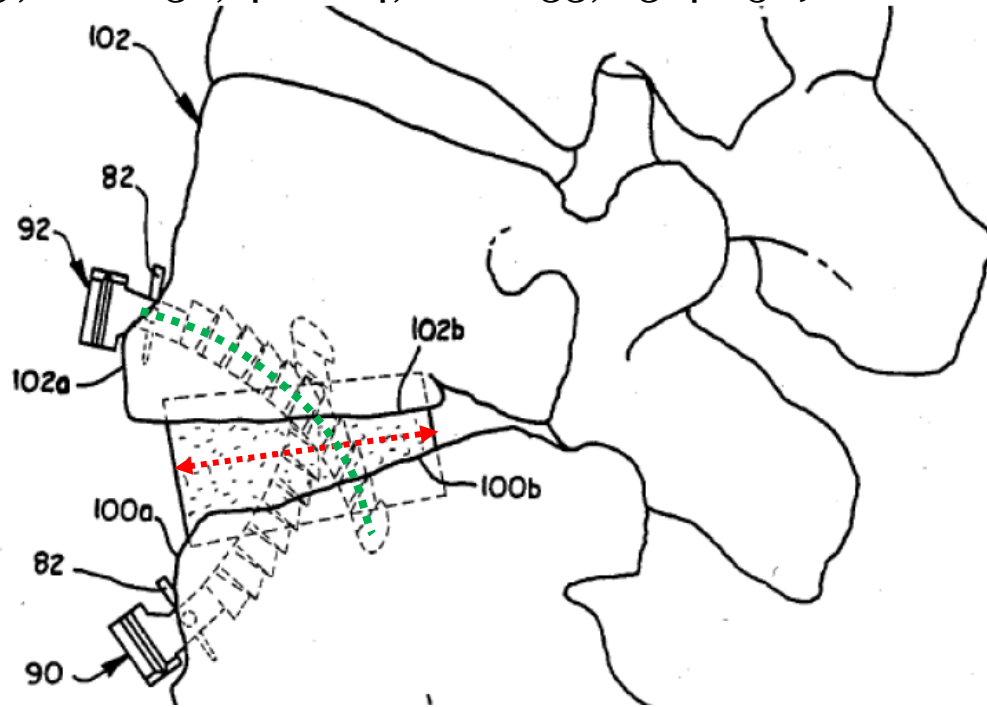
Undisputed that Blain, Steffee and Bray all in field of interbody fusion using anchors. Ex. 1002 ¶ 193. The fact that Steffee achieves fusion using graft and Blain and Steffee achieve fusion using implants (with or without graft) does not render them non-analogous. Indeed, the Specification teaches that its “Field of the Invention” pertains to “surgical procedures for spinal fusion and stabilization” (Ex. 1001, 1:19–21)—the same field as Steffee.

Reasonable Pertinence to Problems Confronted by Inventor

Blain, Steffee and Bray all focused on addressing considerable medical and economic impact of failed spinal fusions. Ex. 1002 ¶¶ 194-198 (citing Ex. 1001, 2:1-5). Steffee seeks to accomplish this by addressing migration that occurs during spinal fusion, whereas Blain and Bray attempt to accomplish this using their own interbody implant designs. All three references address the same *problem* just in different ways.

*Ground 3: Motivations to Combine

1. **Curved anchors** minimize sagittal forces tending to cause migration of implant because of **quasi-perpendicular** anchor insertion. **Migration** was known problem for interbody implants with anchors. Ex. 1002 ¶¶ 199-202 (citing Ex. 1034, 13:17-30; Ex. 1030, 1:31-39; Ex. 1032, 4:61-64; Ex. 1033, 23:48-50).

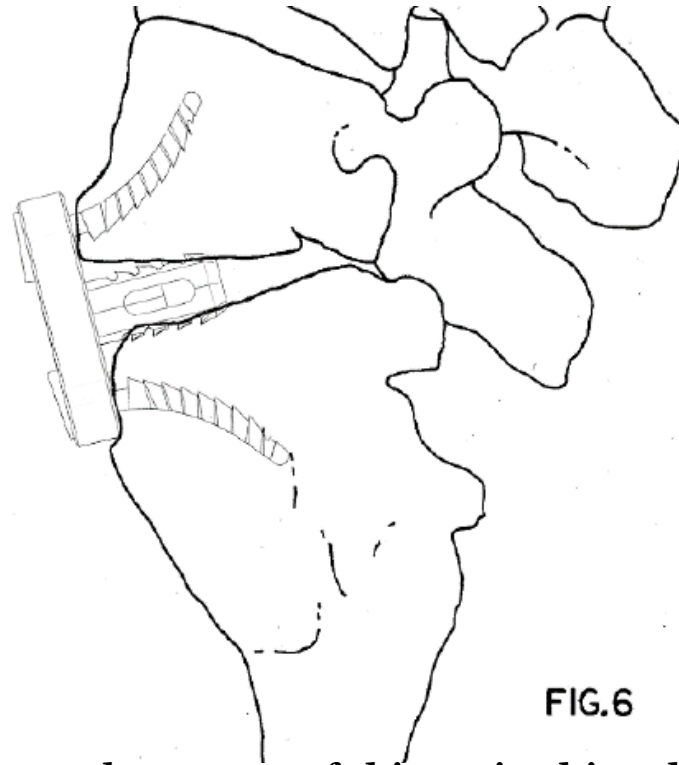
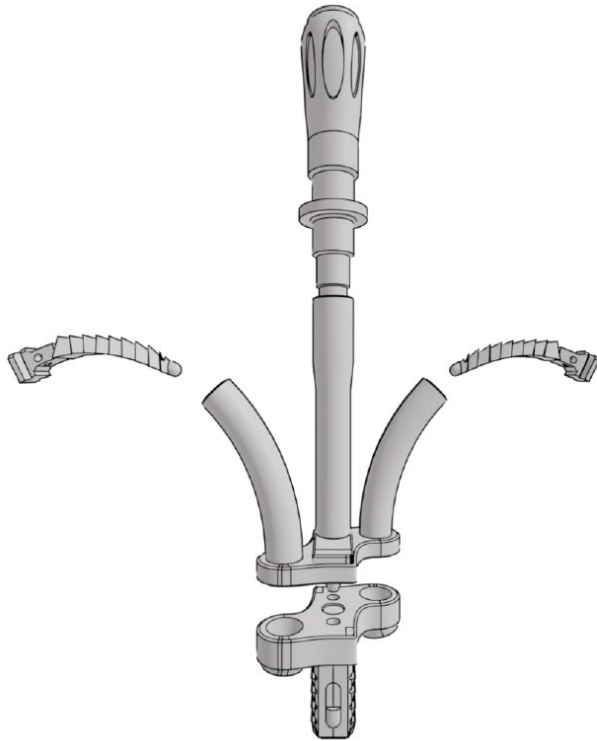


2. Steffee provides an express motivation in stating that its curved anchors are “simple yet extremely effective” for spinal fusion. *Id.* ¶ 204 (quoting Ex. 1016, 2:29-33).
3. Barbed (non-threaded) anchors not subject to stripping like screws of Blain. *Id.* ¶ 203.

*Ground 3: Motivations to Combine

4. **Curved Channels:** POSITA would have recognized that the channels would have to accommodate curvature of anchors to avoid jamming and friction between anchors and channel walls. Ex. 1002 ¶¶ 205-206.
5. Blain expressly teaches that the guide members may be “non-linear” and that they “may comprise ***any shape suitable*** for accurately guiding a drilling device or other instrument, or fastener,” which suggests curved channels. Ex. 1002 ¶ 206 (citing Ex. 1004, 8:8-16).
6. **Impact Tool:** Steffee teaches that its anchors require an impact tool, which were well-known in the art. Ex. 2009 ¶ 209. Blain also teaches “other [driving] tools may be used with the non-linear guide members.” *Id.* (citing Ex. 1016, 3:4-13; Ex. 1036 ¶ [0142]; Ex. 1004, 8:13-16).

*Ground 3: Reasonable Expectation of Success



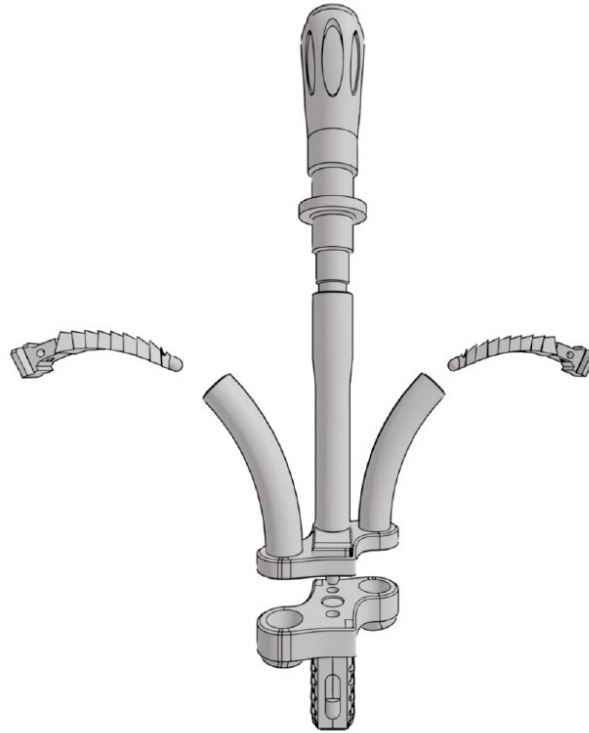
- Use of curved anchors already known to be successful in spinal implants. Ex. 1002 ¶ 206 (Ex. 1035, 2:57-61; Ex. 1019, 7:14-25).
- Required only basic machining principles well-known to a POSITA. Ex. 1002 ¶ 210. Blain itself teaches making guide channels “non-linear” and “any shape” (Ex. 1004, 8:8-16), evidencing simplicity of modifying channels to accommodate anchor curvature.

*Ground 3: PO's Arguments Against Motivation to Combine Fail

1. PO does **not** dispute that Steffee's curved anchors would mitigate migration or avoid stripping as explained by Mr. Culbert, or that those benefits would have been apparent to a POSA based on Steffee. Paper 15, 30.
2. The anti-backout feature of Blain or Bray does not negate any of the motivations to combine. That feature does not fully prevent the anchors from coming out of **the bone**, which is an important *added* benefit provided by Steffee's anchors. *Id.* at 32; Paper 1, 85-87 (citing Ex. 2001 ¶¶ 199-202).
3. PO incorrectly asserts that Petitioner provided no motivation for modifying the guide tubes and implant channels of Blain to be curved. For example, (1) it was common sense to accommodate the curvature of the anchors to reduce friction and avoid the anchors jamming during delivery and (2) Blain itself teaches using "non-linear" guide tubes. Paper 1, 87-89; Paper 15, 31.
4. PO provides no evidence that "[n]o POSA would have been motivated to combine these disparate technologies" or that impermissible hindsight exists. Paper 15, 31-32. Regardless, hindsight is negated by a motivation to combine, several of which exist here. *In re Gartside*, 203 F.3d 1305, 1319 (Fed. Cir. 2000). This is especially true when there is an express motivation to combine, as is the case here. *Schwendimann v. Neenah, Inc.*, 82 F.4th 1371, 1381 (Fed. Cir. 2023).
5. The "impact-driven" nature of Steffee's anchors does not negate the obviousness of the combination. Steffee expressly teaches using an impact driving tool for its curved anchors, and it would have been common sense to do the same when using those anchors with Blain's implant. Paper 15, 31. Blain itself teaches that "screw drivers and **other tools** are known in the art...." Ex. 1004, 8:13-16.

*Ground 3: PO's “Feasibility” Arguments Fail

1. The combination with Steffee does not require “completely redesigning” Blain’s implant and guide instrument. It requires two simple changes: (1) use curved anchors instead of straight anchors; (2) make channels curved to accommodate shape of anchors. Paper 15, 35.



2. PO attacks a strawman because neither Petitioner nor Mr. Culbert proposed using Steffee’s curved anchors with straight channels—Petitioner clearly explained that the curvature of the anchors must be accommodated by the channels. *Id.*

*Ground 3: PO Improperly Attacks References Individually

PO Argument

Steffee's standalone curved fastener driven directly through bone graft provides no teaching of an intervertebral fusion member containing precisely engineered curved **channels** through which separate anchoring members traverse.

Paper 3, 66.

The Law

“Non-obviousness cannot be established by attacking references individually” when unpatentability “is based upon the teachings of a combination of references.” *Bradium Techs. LLC v. Iancu*, 923 F.3d 1032, 1050 (Fed. Cir. 2019).

Ground 2: The Combination

(1) Use Bray's **restraining plate 60** as an alternative to Blain's **anti-rotation mechanism** and (2) Incorporate Bray's spherical anchor seat and anchor head into Blain.

Blain

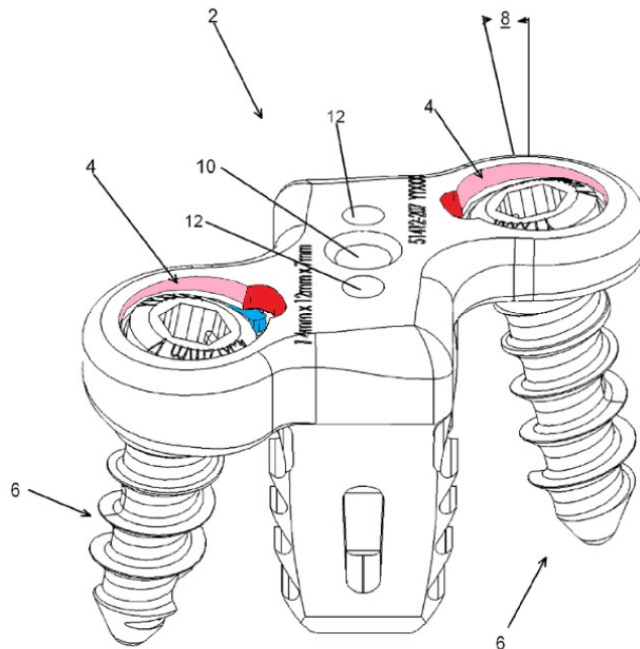


FIG. 1

Bray

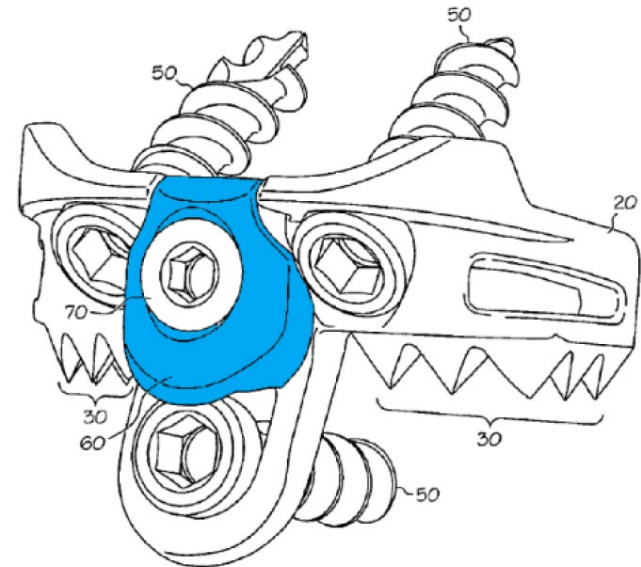


FIG. 1

Ground 2: Analogous Art

Same Field of Endeavor

Undisputed that Blain and Bray are both directed toward the field of interbody spinal fusion, particularly using spinal implants. Paper 1, 73.

Reasonable Pertinence to Problems Confronted by Inventor

Blain and Bray both reasonably pertinent to the problems faced by the inventor of the '805 Patent, namely problems associated with effectively and efficiently delivering fusion implants and their associated anchors between vertebral bodies. *Id.*

Ground 2: Motivations to Combine

1. Blain teaches that its restraining plate 60 prevents decoupling of the fusion member from the anchors. Ex. 1006, 4:49-57.
2. POSAs recognized that overlay-type “locking” mechanisms were well-known and effective, which is why they were commonly used in prior art implants. Ex. 1002 ¶ 172 (citing Ex. 1030, 4:43-53; Ex. 1017, 4:62-5:13).
3. Prevents backing out of anchors from implant under any scenario, not just due to unwanted rotation as with Blain’s anti-rotation mechanism. *Id.*
4. POSAs recognized that Bray’s restraining plate 60 feature was simpler to implement as compared to Blain’s anti-rotation mechanism and required less complex machining. *Id.* ¶¶ 173-174.
5. POSAs recognized that Bray’s restraining plate 60 feature could easily be removed so that the anchors can be unscrewed (if necessary), unlike Blain’s design. *Id.* ¶ 174.
6. In the Blain-Bray-Steffee combination (Ground 3), the anti-rotation mechanism would not work thereby further motivating the use of Bray’s restraining plate. *Id.* ¶ 175.
7. Modification involved simply applying known technique to improve similar device. *Id.* 176.

Ground 2: Reasonable Expectation of Success

- Modification required simply eliminating the anchor head lobe (blue), anchor channel threading (pink) and channel recess (red) from Blain's implant, and adding Bray's restraining plate 60 over the proximal side of Blain's implant 2 to overlap the fasteners 6. Opening 10 already provides connection point for plate.

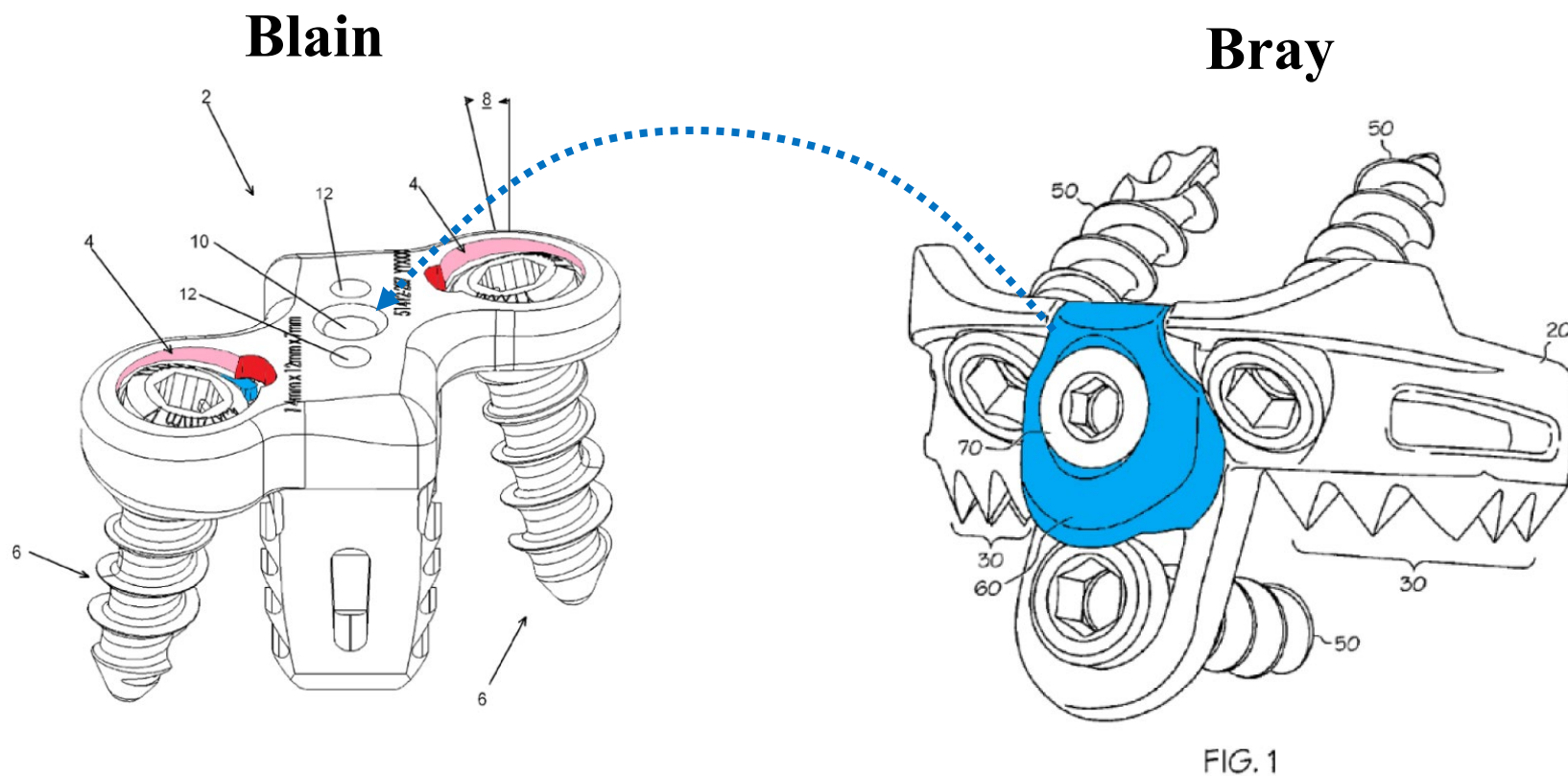


FIG. 1

FIG. 1

Ground 2: PO's Arguments Against Motivation to Combine Fail

1. PO does **not** specifically dispute any of the motivations shown by Petitioner.
2. PO mischaracterizes Petitioner as proposing the use of **both** Blain's anti-rotation mechanism and Bray's restraining plate. But Petitioner proposed the restraining plate as an improved *alternative* to Blain's anti-rotation mechanism. Paper 15, 27; Paper 1, 74-77.
3. PO argues "Petitioner provides no articulated reasoning explaining why a POSA would have been motivated to combine Blain's **pre-implantation** instrument guide (used during initial implant delivery and screw insertion) with Bray's **post-implantation** restraining plate (secured after screw insertion is complete)." Paper 13, 62. This distinction is irrelevant—Bray's restraining plate would simply be attached to the implant after the implant is fixed in place and the instrument guide has been removed, no different than how it is used as taught by Bray. Paper 1, 77.

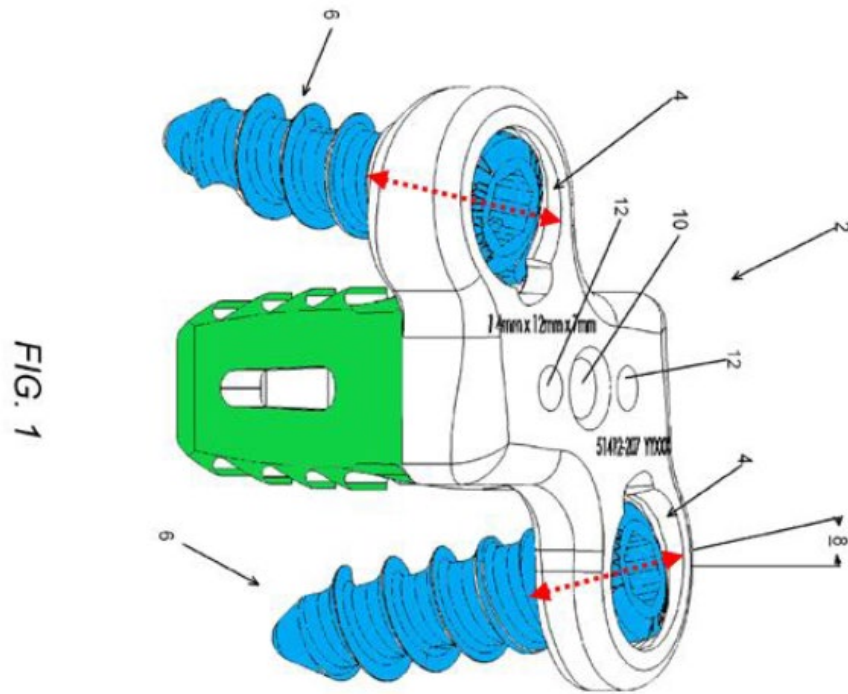
Blain Mappings: Claim 1.1/11.1

“a fusion member [2] for positioning between two vertebral bodies [via green portion], the fusion member having a **first plurality of channels**, each channel of the first plurality of channels having an opening on a same side of the fusion member;”

Response to PO Arguments

Nothing in the claim requires a special “internal channel geometry,” “shaped block,” “curved tubular channels,” non “straight-through” apertures, or “flexible” anchors.

Paper 15, 14.



Blain Mappings: Claim 1.2.1-2/11.1-2

“[1.2.1] **a delivery mechanism** for delivering the **fusion member** between the two vertebral bodies, [1.2.2] 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,”

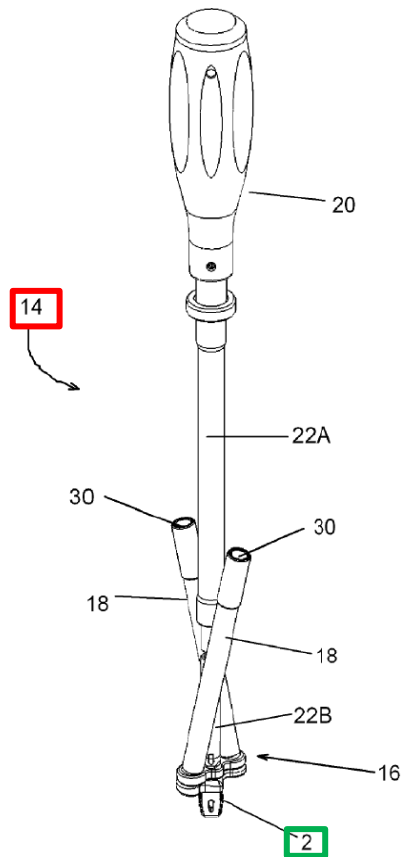


FIG. 3A

Response to PO Arguments

PO admits that Blain “suggests that the handle may be removed precisely to **avoid extending outside the patient’s body** during fastener insertion.” Paper 13 at 38. This is an admission that Blain teaches this limitation, because Blain teaches the handle can be *permanently fixed* (non-removable), which would mean it extends outside the patient’s body during surgery.

Paper 15, 16.

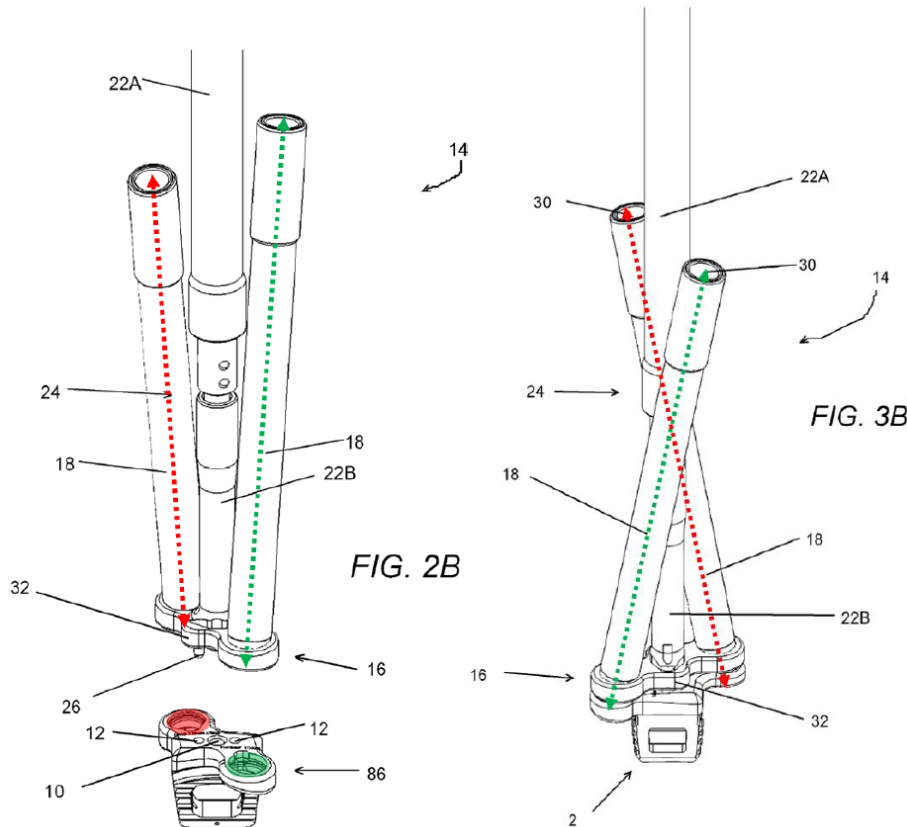
Blain Mappings: Claim 1.2.3/11.2.3

“the delivery mechanism having a second plurality of channels, 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,”

Response to PO Arguments

Nothing in this claim requires a “delivery housing.” Nor do any claims require a “retention mechanism” that is *in or part of* a “delivery housing.”

Paper 15, 17.



Blain Mappings: Claim 1.3/11.3

“a plurality of independent **anchoring members** configured to secure the fusion member to the vertebral bodies, 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.”

Response to PO Arguments

PO admits that Blain's threading and anti-rotation mechanism “prevent[] decoupling,” but relies on unclaimed “anchor” requirements (e.g., push-in flanged, hammered, PMMA injection etc.).

Paper 15, 17-18.

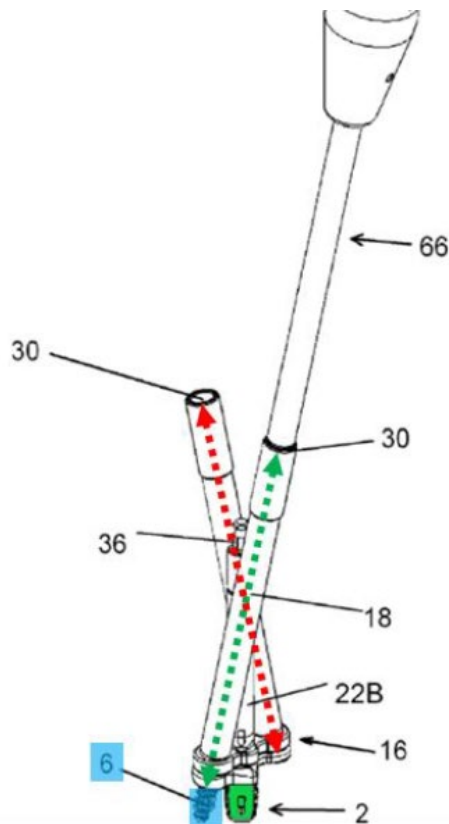


FIG. 6A

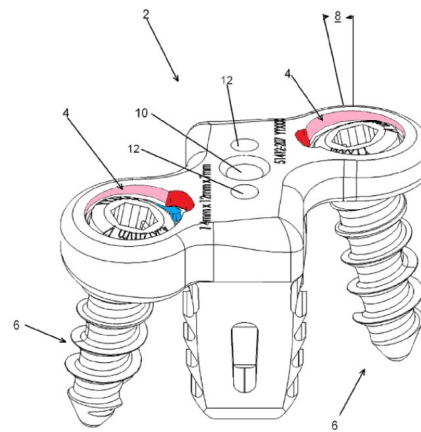
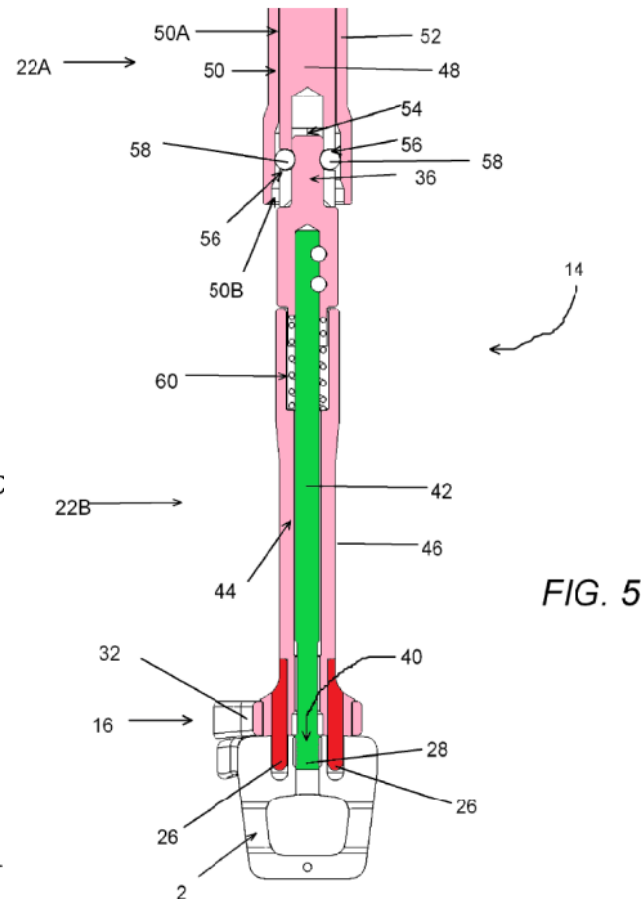
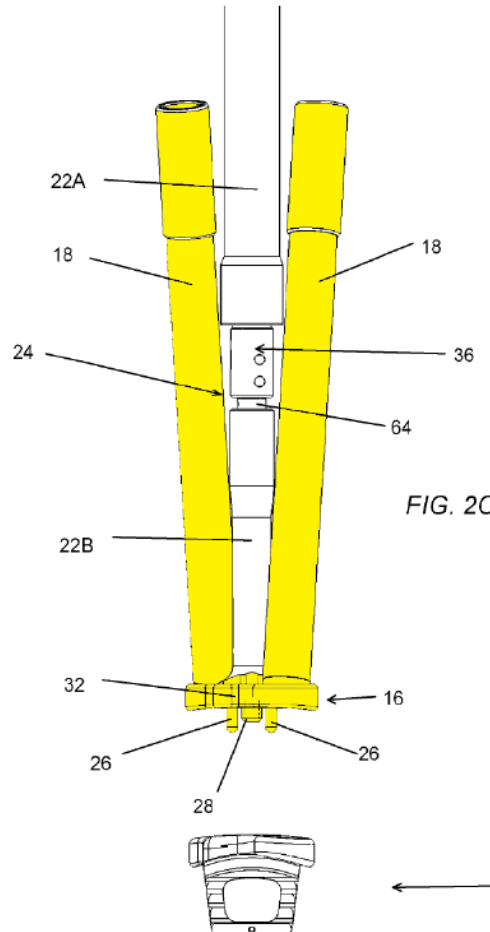


FIG. 1

Blain Mappings: Claim 2

“The apparatus of claim 1, wherein the delivery mechanism comprises: a **delivery housing** for guiding each independent anchoring member into the fusion member; and a retention mechanism [26 / 28] for fixedly coupling the delivery housing to the fusion member.”



PO's Counterarguments on Claim 2 Fail

1. Claim 2 does not require that the “retention mechanism” be ***part of or within*** the “delivery housing”—the retention mechanism is only required to be part of the “delivery mechanism.” Even if there was such a requirement, the coupling member 28 is a “retention mechanism” of the device coupler 16 (a delivery housing). Paper 15, 20.
2. The ordinary meaning of “housing” does not require that it be a “unified structural body” or exclude “separate components” that form a housing. Even if it did, each of guide tubes 18 and device coupler 16 would independently qualify. *Id.* at 19.
3. Nothing in the claim requires that the “delivery housing” guides or houses “retention rods”—the housing is only required to guide “anchoring members.” *Id.*
4. Nothing in the claim requires “permanent” housing, nor does it exclude “temporarily” housing the anchors, which is expressly taught by the Specification. *See Ex. 1001, 13:25-27.*

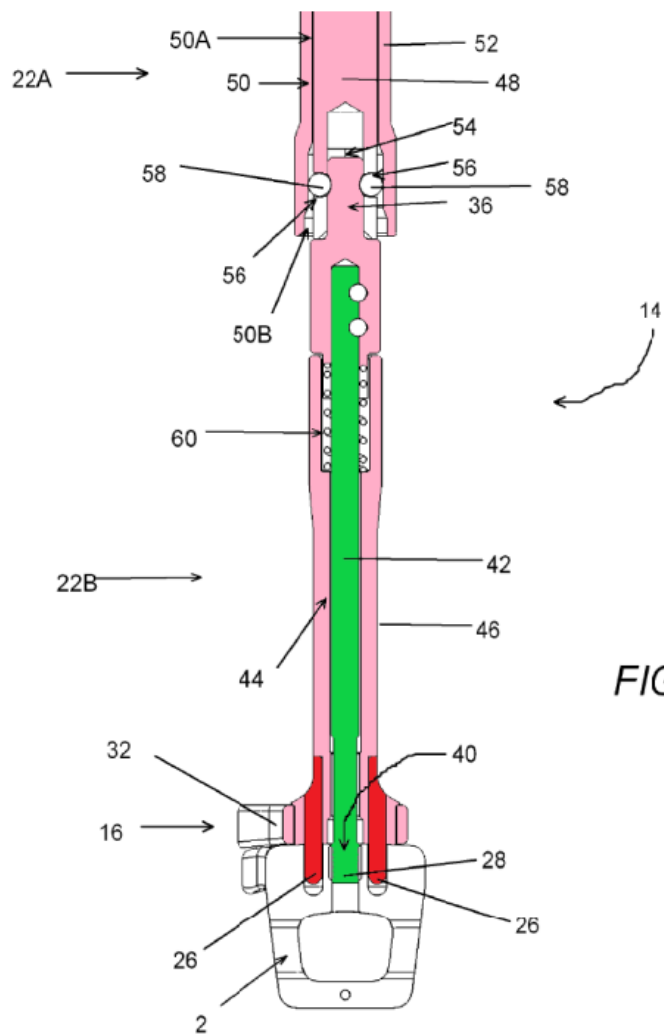
Blain Mappings: Claim 3

“The apparatus of claim 2, wherein the retention mechanism comprises at least one retention rod for coupling with the fusion member.”

Response to PO Arguments

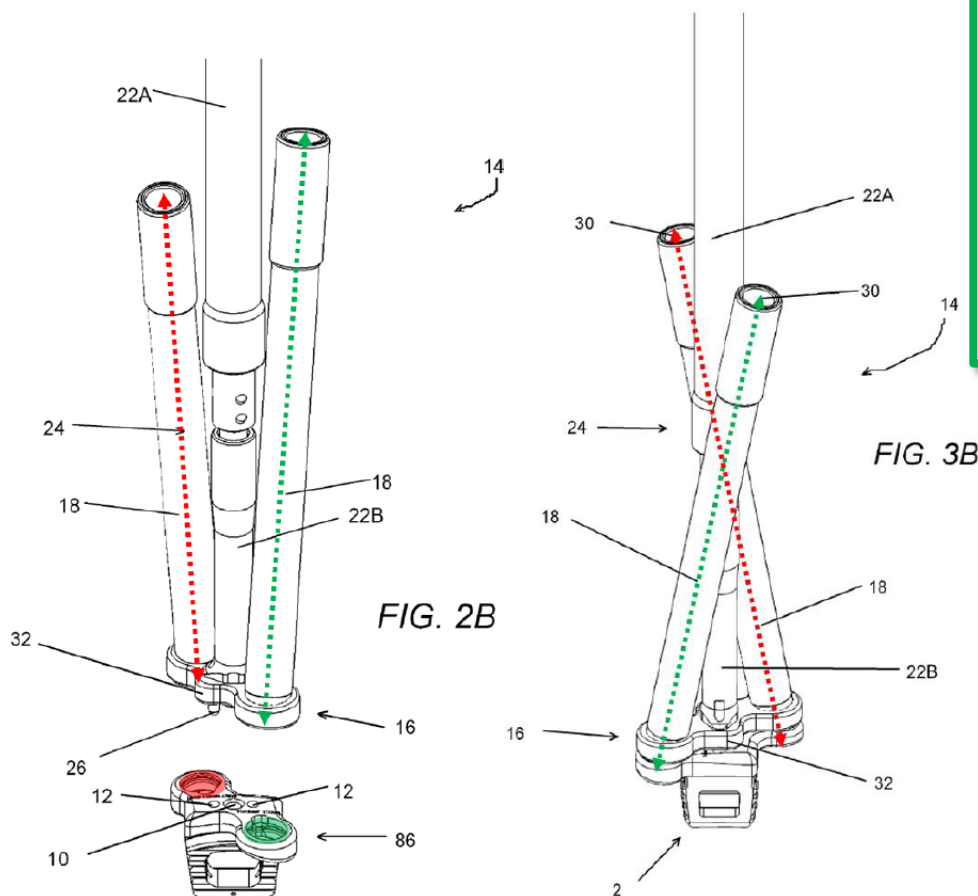
Nothing in the claim requires the myriad of features that PO attempts to distinguish based upon, such as “direct engaging retention grooves 15 on the lateral surfaces” or a “direct, external, multi-point locking system.”

Paper 15, 21-22.



Blain Mappings: Claim 4

“The apparatus of claim 2, wherein the *coupling* of the delivery housing to the fusion member causes each channel of the fusion member to be aligned with a different channel of the delivery mechanism.”



Blain specifically teaches that “[t]he aligned *coupling* between the instrument guide 14 and implant 2 matches the guide lumens 18 of the instrument guide 14 with the fastener apertures 4 of the implant 2.” Ex. 1004, 5:30–33.

Paper 1, 64.

PO's Counterarguments on Claim 4 Fail

1. Claim does not require “locking” to cause alignment—it merely requires that “coupling” causes channel alignment. Paper 15, 23-25. Nothing in the Specification supports PO's narrow reading of “coupling.” Blain even describes structures 26, 28 as “**coupling** structures” or “**coupling** members,” undermining Spinelogik's position. Ex. 1004, 4:55-58, 5:19-22. The P&O meaning of “couple” is “to come together; unite,” which does not require locking components together. *Id.* at 24-25.
2. Claim does not require the “delivery housing” to have the claimed coupling mechanism, but even if it did the coupling structures 26 and 28 are part of the device coupler 16 (delivery housing). *Id.* at 23.
3. Even under PO's narrow reading of “coupling” as requiring “locking,” Blain satisfies it. Blain teaches that the coupling structure 28 may be “snap-on” fitting, “friction” fitting, or “magnetic” fitting, which means that simply inserting the coupling structure 28 into the central opening 10 of Blain's implant simultaneously “aligns” the channels and “locks/secures” the delivery housing to the fusion member without a “separate act.” *Id.* at 25.

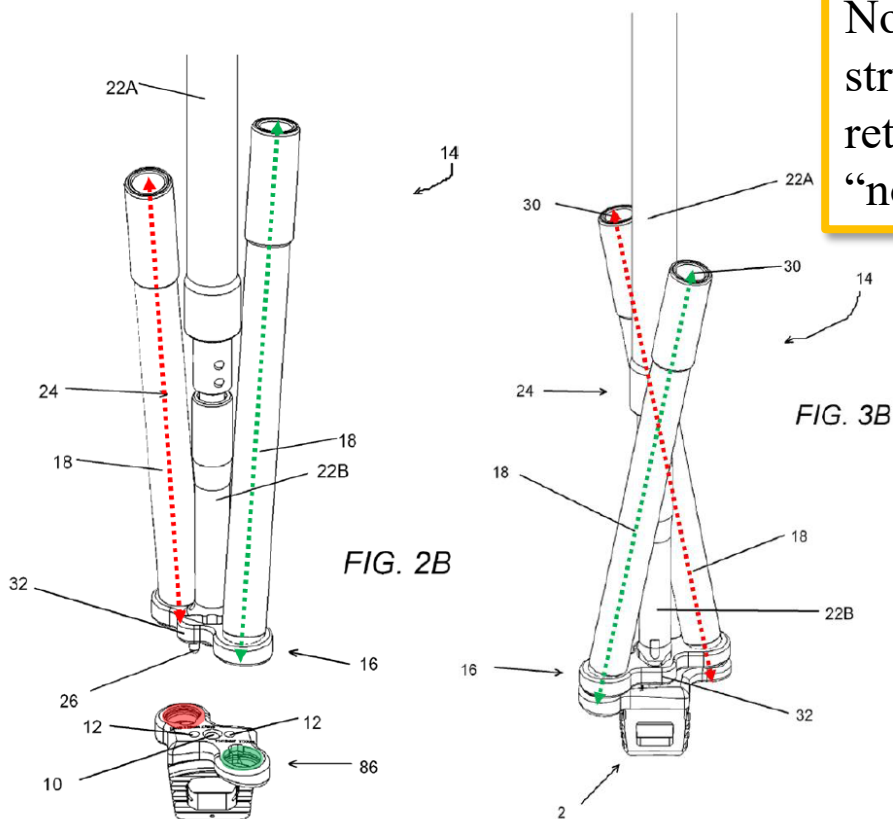
Blain Mappings: Claim 6/17

“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.”

Response to PO Arguments

Nothing in the claim requires a “single, integrated structure containing channels for both anchors and retention rods,” a “curved” channel, an anchor that is “non-threaded” or an anchor that is “flexible.”

Paper 15, 25-26.



Blain/Bray Mappings: Claim 12

“The fusion device of claim 11, wherein preventing decoupling of the fusion member comprises locking each independent anchoring member to the fusion member once the anchoring member is fully advanced through the channel of the fusion member.”

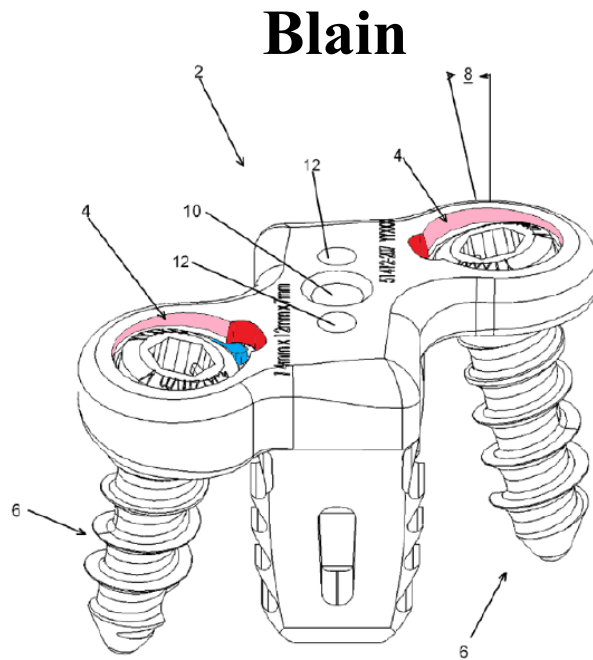


FIG. 1

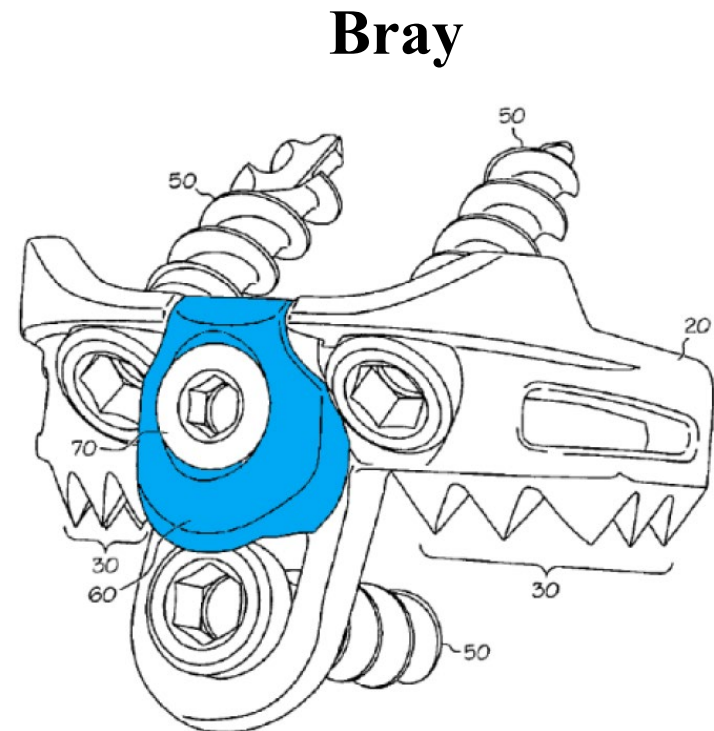
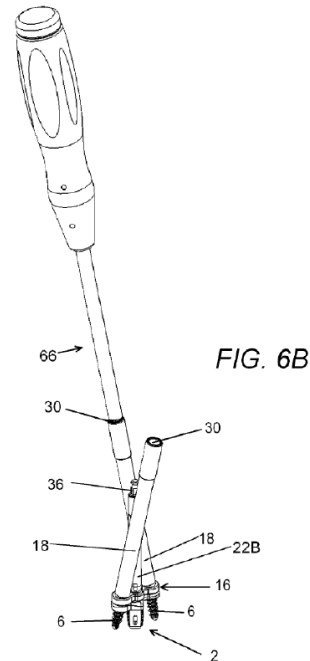
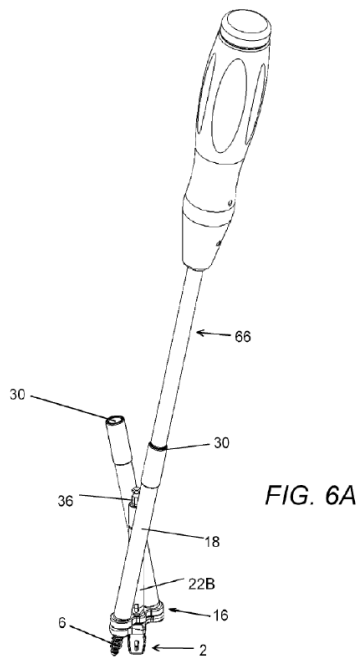


FIG. 1

Blain/Steffee Mappings: Claim 15

“The fusion device of claim 11 further comprising a driving member [66] configured to drive each independent anchoring member through the delivery mechanism.”

Blain



Steffee

Teaches that a “driving tool ... drives the fastener 10 into the bone portions 22, 26” via hammering. Ex. 1016, 3:4-13

“Non-linear or flexible drills, screw **drivers** and **other tools** are known in the art and may be used with the non-linear guide members.. Ex. 1004, 8:14-16