

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

Spinelogik, Inc.,

Plaintiff,

v.

Globus Medical, Inc.,

Defendant.

Civil Action No.: 2:23-cv-529-JRG-RSP

**DEFENDANT GLOBUS MEDICAL, INC.’S
PRELIMINARY CLAIM CONSTRUCTIONS**

Pursuant to Eastern District of Texas Local Patent Rule 4-2 and the Court’s Docket Control Order (D.I. 20-1), Defendant Globus Medical, Inc. (“Globus” or “Defendant”) provides the following preliminary claim constructions. For the terms that Defendant previously identified as proposed terms for construction pursuant to Local Patent Rule 4-1, but which are not included below, Defendant contends those terms should be given their plain and ordinary meaning.

U.S. Patent No. 8,460,385:

Claim Term	Defendant’s Proposed Claim Construction
“curved channel” (cl. 1)	“channel that has a curved path”
“cross-sectional planes are parallel to each other” (cl. 1)	“cross-sectional planes passing through the entire curved channel paths (<i>e.g.</i> , as shown in FIG. 46B) and are parallel to each other”

Globus also reserves the right to argue the clause “wherein the first and second cross-sectional planes are parallel to each other” (claim 1) is indefinite.

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

Claim Term	Defendant's Proposed Claim Construction
"delivery mechanism" (cls. 1, 6, 11, 17)	"insertion tool separate from the driving member"
"each channel of the fusion member is curved" (cls. 5, 16)	"each channel of the fusion member has a curved path"

Dated: October 30, 2024

/s/ Elizabeth C. Shrieves

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CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2024 counsel of record were served a copy of the foregoing document via electronic mail.

VIA EMAIL

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