

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SURGALIGN SPINE TECHNOLOGIES, INC.,
Petitioner,

v.

LIFENET HEALTH,
Patent Owner.

IPR2019-00570
Patent 8,182,532 B2

Before GEORGE R. HOSKINS, TIMOTHY J. GOODSON, and
CHRISTOPHER C. KENNEDY, *Administrative Patent Judges*.

GOODSON, *Administrative Patent Judge*.

NOTICE

Notice of Disposition of Sealed Final Written Decision
Determining Some Challenged Claims Unpatentable
35 U.S.C. § 318(a)

We have issued a non-public version of a Final Written Decision under 35 U.S.C. § 318(a) and 37 C.F.R. § 42.73. Paper 71. A public version of the Final Written Decision will issue in due course. For the

reasons discussed in the Final Written Decision, we concluded that Petitioner has shown by a preponderance of the evidence that claims 12–21 of the '532 patent are unpatentable, but Petitioner has not shown by a preponderance of the evidence that claims 4 and 6–11 are unpatentable.

The following table summarizes the determinations in this proceeding.

Claims	35 U.S.C. §	Reference(s)/Basis	Claims Shown Unpatentable	Claims Not Shown Unpatentable
12–21	103(a)	Grooms	12–21	
4, 6–11	103(a)	Grooms in view of McIntyre		4, 6–11
12, 20	102(e) or 103(a)	Paul ¹		
13–19	103(a)	Paul in view of Coates ²		
4, 6–9, 11	103(a)	Paul in view of McIntyre and Coates		4, 6–9, 11
12, 20	102(b)	Wolter ³		
12, 20	103(a)	Wolter in view of Grooms, Paul, or Coates ⁴		
4, 6–11	103(a)	Wolter in view of Grooms		4, 6–11
4, 6–9, 11	103(a)	Wolter in view of Paul and Coates		4, 6–9, 11
Overall Outcome			12–21	4, 6–11

¹ We did not reach this ground.

² We did not reach this ground.

³ We did not reach this ground.

⁴ We did not reach this ground.

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