


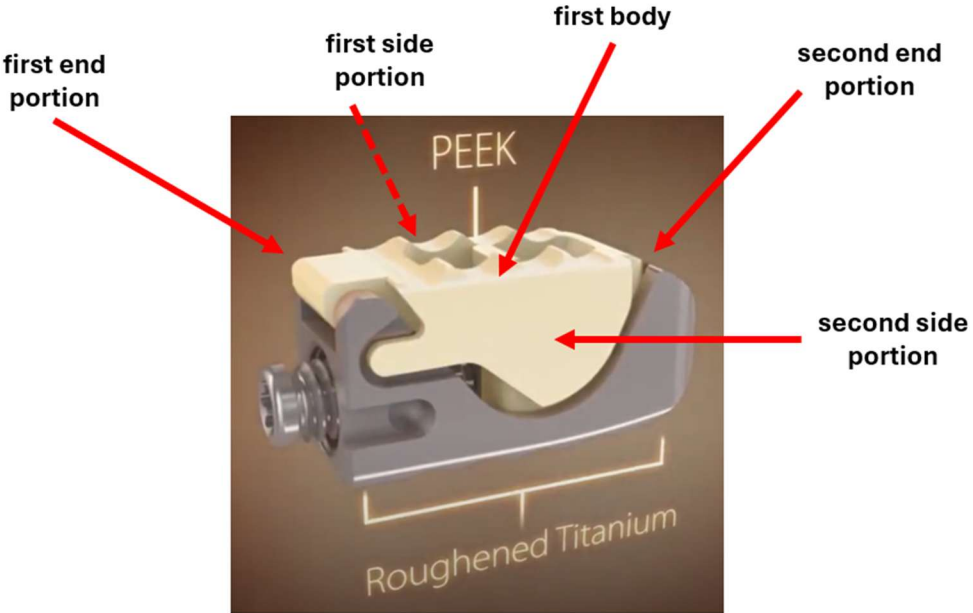
Exhibit K1

**EXHIBIT K1 - U.S. PATENT 12,011,367
Infringement Claim Chart**

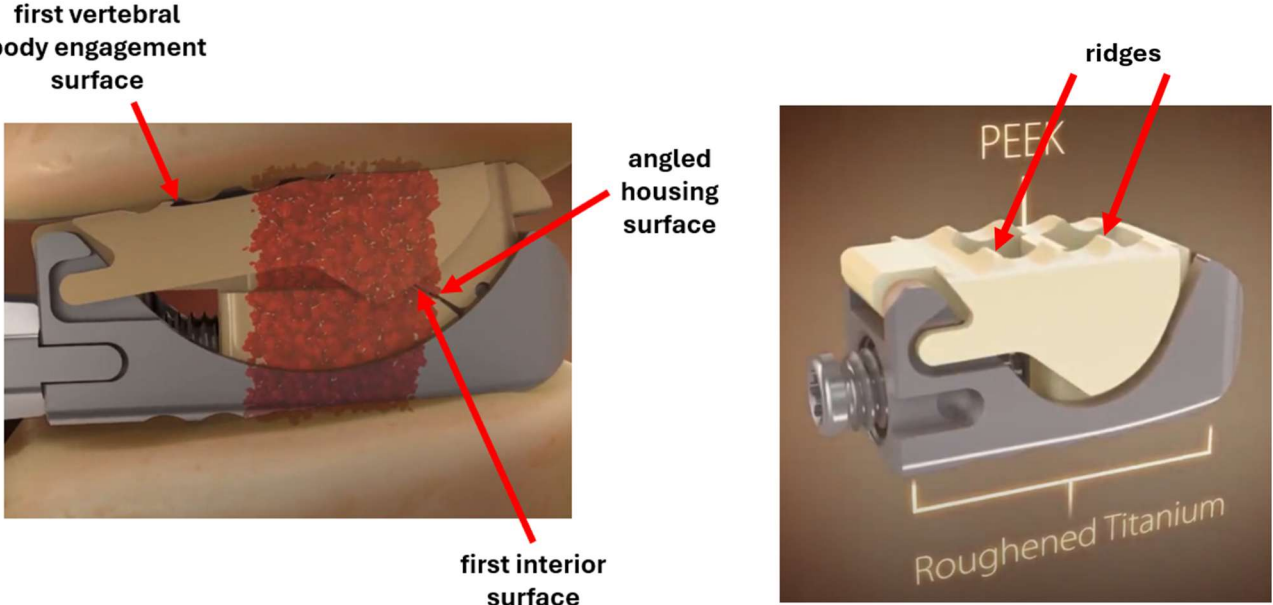
U.S. Patent 12,011,367		Medtronic Infringing Activity ¹
Row	Claim 8	
8A	<p>An expandable intervertebral device comprising:</p> <p>a first body extending from a first end to a second end, wherein the first body has first and second end portions positioned at the first and second ends, respectively, and has first and second side portions extending between the first and second end portions,</p>	<p>To the extent the preamble is limiting, the '367A Accused Instrumentalities include an expandable intervertebral device. The '367A Accused Instrumentalities include a first body extending from a first end to a second end and having a first length between the first end and the second end, wherein the first body has first and second end portions positioned at the first and second ends, respectively, and has first and second side portions extending between the first and second end portions.</p> <div style="text-align: center;">  </div>

¹ These allegations are exemplary and Moskowitz Family LLC reserves the right to supplement them as the case progresses.

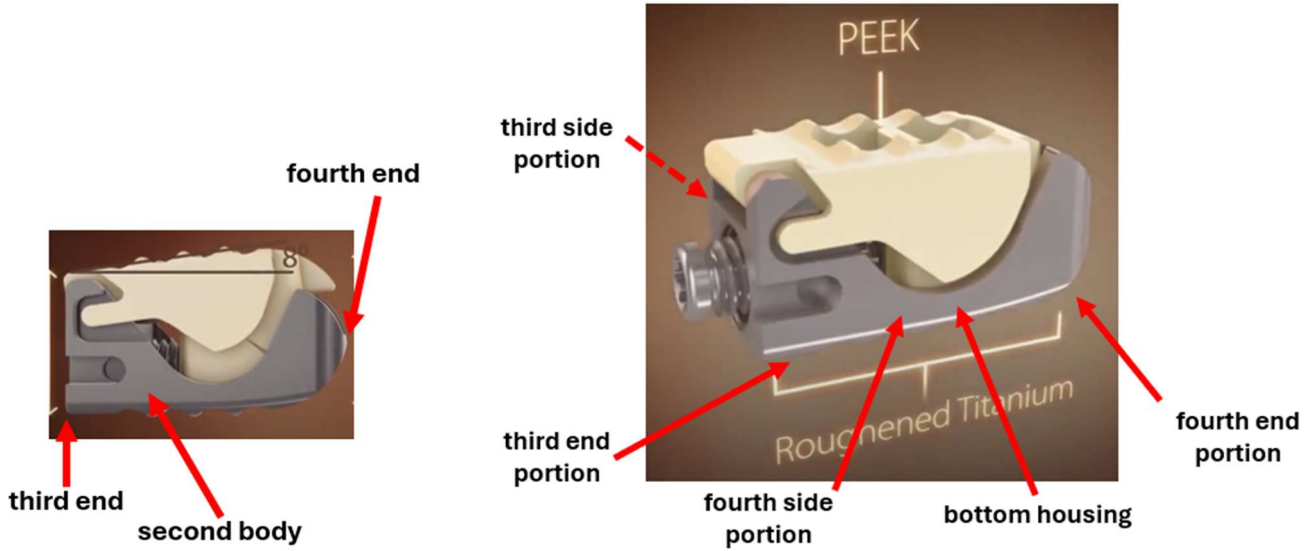
**EXHIBIT K1 - U.S. PATENT 12,011,367
Infringement Claim Chart**

U.S. Patent 12,011,367		Medtronic Infringing Activity ¹
		 <p>Exemplary Sources http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd81epSn7ho</p>
8B	wherein the first body has a first vertebral body engagement surface and has a first interior surface positioned on an opposite side of the first body	The first body has a first vertebral body engagement surface and has a first interior surface positioned on an opposite side of the first body than the first vertebral body engagement surface, the first vertebral body engagement surface comprising a plurality of ridges for interfacing with a vertebral body surface, the first interior surface includes at least one angled housing surface protruding from the first interior surface.

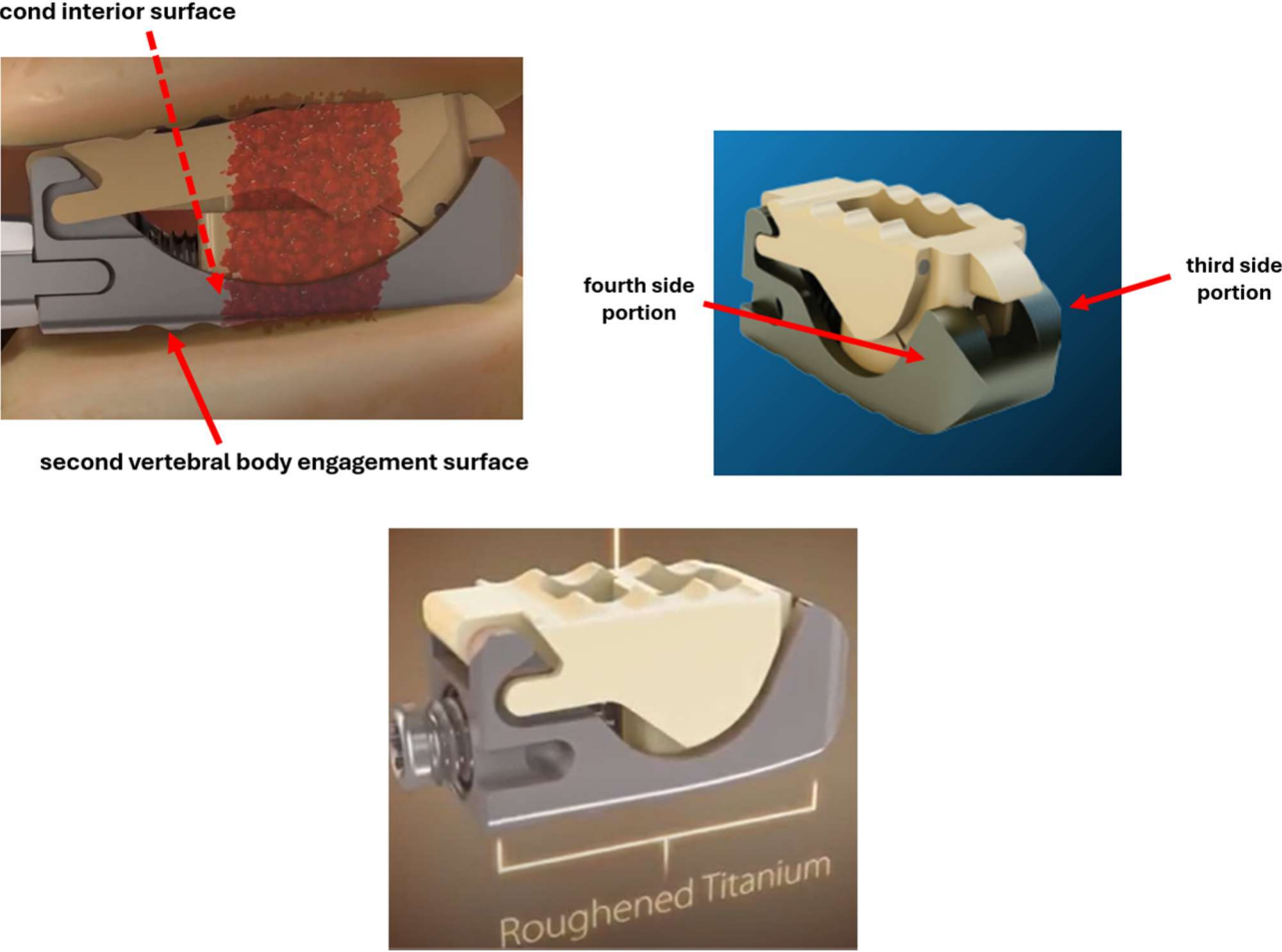
**EXHIBIT K1 - U.S. PATENT 12,011,367
Infringement Claim Chart**

U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
<p>than the first vertebral body engagement surface, the first vertebral body engagement surface comprising a plurality of ridges for interfacing with a vertebral body surface, the first interior surface includes at least one angled housing surface protruding from the first interior surface;</p>	 <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd8lepSn7ho</p>
<p>8C a second body extending from a third end to a fourth end, wherein the second body has third and fourth end portions</p>	<p>The '367A Accused Instrumentalities include a second body extending from a third end to a fourth end, wherein the second body has third and fourth end portions positioned at the third and fourth ends, respectively, and has third and fourth side portions extending between the third and fourth end portions.</p>

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U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
<p>positioned at the third and fourth ends, respectively, and has third and fourth side portions extending between the third and fourth end portions,</p>	 <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd81epSn7ho</p>
<p>8D wherein the second body has a second vertebral body engagement surface and has a second interior surface positioned on an opposite side</p>	<p>The second body has a second vertebral body engagement surface and has a second interior surface positioned on an opposite side of the second body than the second vertebral body engagement surface, the first body configured to fit between the third and fourth side portions in a compressed configuration of the expandable intervertebral device.</p>

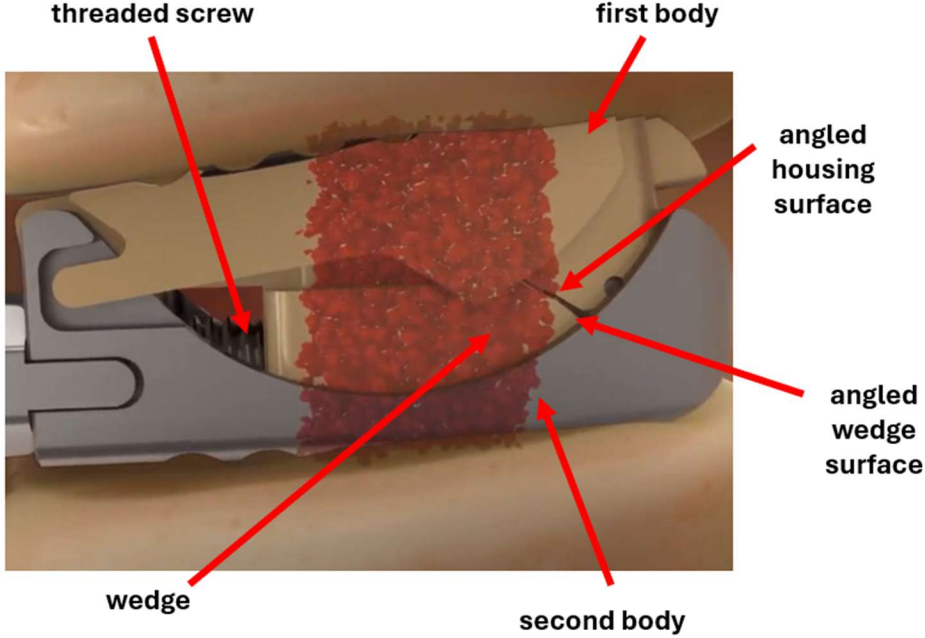
**EXHIBIT K1 - U.S. PATENT 12,011,367
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U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
<p>of the second body than the second vertebral body engagement surface, the first body configured to fit between the third and fourth side portions in a compressed configuration of the expandable intervertebral device; and</p>	<p>For example, a Medtronic promotional video indicates that the portion of the second body that engages the vertebral body includes “Roughened Titanium.”</p> 

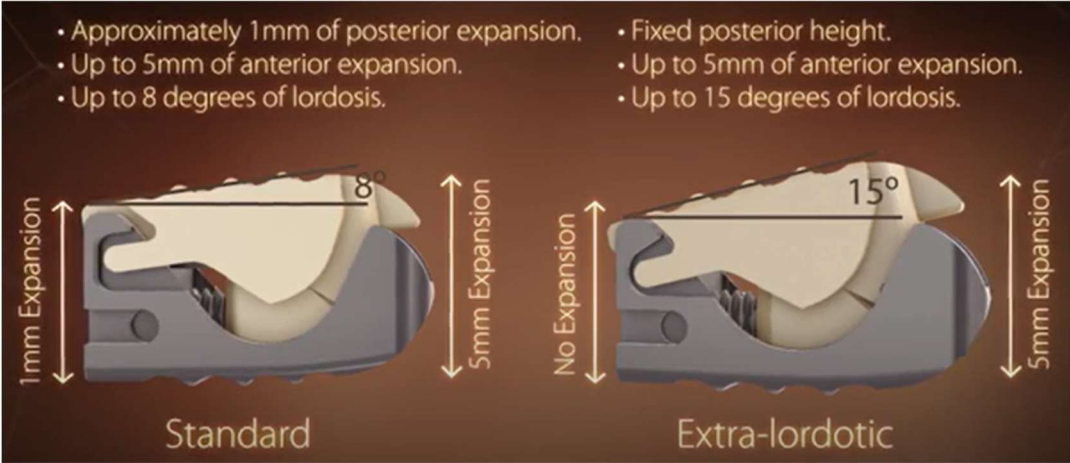
**EXHIBIT K1 - U.S. PATENT 12,011,367
Infringement Claim Chart**

U.S. Patent 12,011,367		Medtronic Infringing Activity ¹
		<p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd81epSn7ho</p>
8E	a wedge having an angled wedge surface, wherein the wedge is positioned between the first body and the second body with the angled wedge surface facing the first interior surface of the first body and the at least one angled housing surface of the first body is positioned to engage the angled wedge surface of the wedge,	The '367A Accused Instrumentalities include a wedge having an angled wedge surface, wherein the wedge is positioned between the first body and the second body with the angled wedge surface facing the first interior surface of the first body and the at least one angled housing surface of the first body is positioned to engage the angled wedge surface of the wedge.

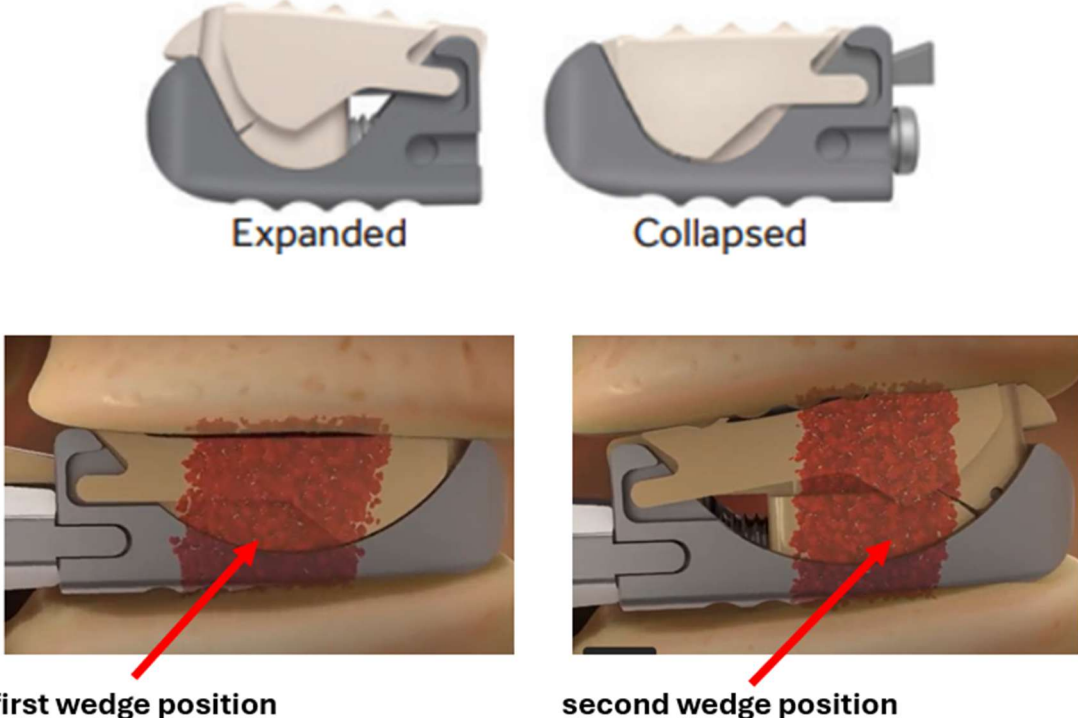
**EXHIBIT K1 - U.S. PATENT 12,011,367
Infringement Claim Chart**

U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
	 <p><i>See also</i> Row 8B.</p> <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd81epSn7ho</p>
8F	<p>wherein the wedge is configured to slide within a</p> <p>The wedge is configured to slide within a space defined by the first body and second body in a direction toward the second and fourth ends of the first body and second body from a first</p>

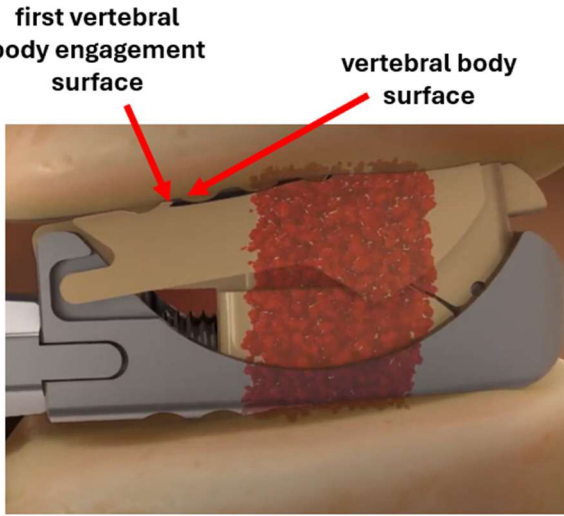
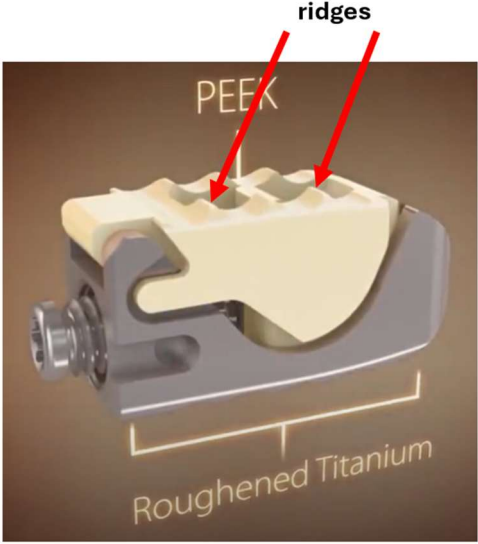
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U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
<p>space defined by the first body and second body in a direction toward the second and fourth ends of the first body and second body from a first wedge position in which the first body and the second body are in a substantially closed position to a second wedge position whereby the angled wedge surface presses against the first interior surface of the first body to move the first body relative to the second body from a compressed configuration to an expanded configuration without moving the second body, whereby the wedge remains axially confined within the space defined by the first body and second body in the compressed and expanded configurations.</p>	<p>wedge position in which the first body and the second body are in a substantially closed position to a second wedge position whereby the angled wedge surface presses against the first interior surface of the first body to move the first body relative to the second body from a compressed configuration to an expanded configuration without moving the second body, whereby the wedge remains axially confined within the space defined by the first body and second body in the compressed and expanded configurations.</p> <p>For example, a Medtronic promotional video states that the Elevate Spinal System has “Up to 5mm of anterior expansion.”</p>  <p>The diagram illustrates two spinal disc configurations: Standard and Extra-lordotic. The Standard configuration shows a disc with 1mm posterior expansion, 5mm anterior expansion, and 8 degrees of lordosis. The Extra-lordotic configuration shows no posterior expansion, 5mm anterior expansion, and 15 degrees of lordosis. The diagram also includes a list of characteristics for each configuration.</p> <ul style="list-style-type: none"> • Approximately 1mm of posterior expansion. • Up to 5mm of anterior expansion. • Up to 8 degrees of lordosis. • Fixed posterior height. • Up to 5mm of anterior expansion. • Up to 15 degrees of lordosis.

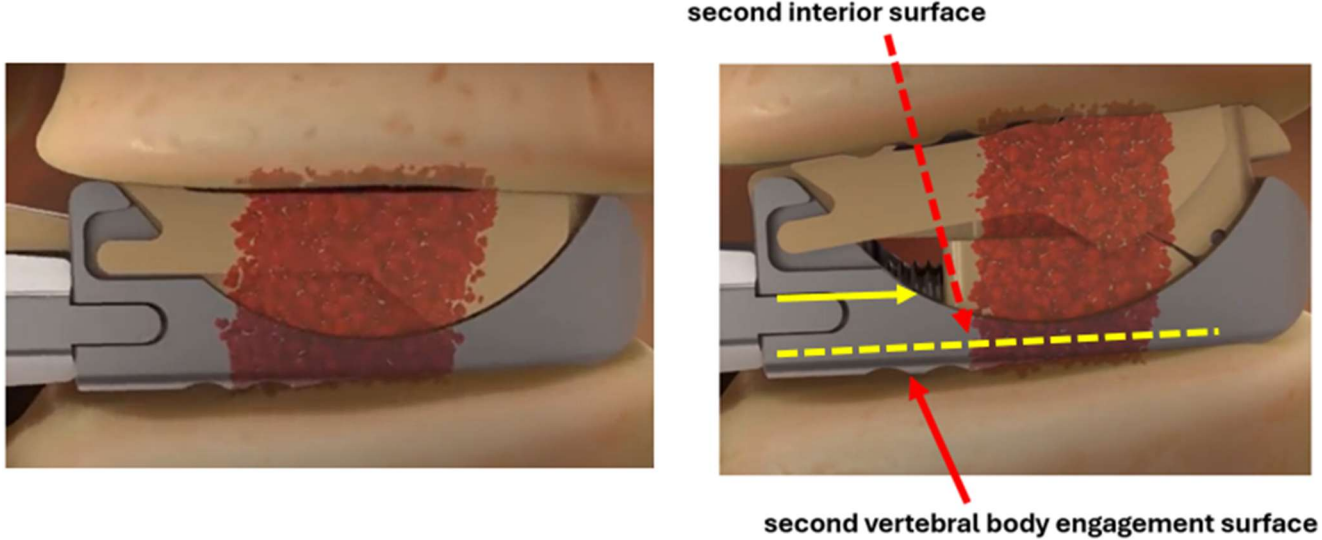
**EXHIBIT K1 - U.S. PATENT 12,011,367
Infringement Claim Chart**

U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
	 <p>The diagrams illustrate the operation of a medical device. The top row shows the device in two states: 'Expanded' on the left and 'Collapsed' on the right. The bottom row shows two cross-sectional views of the device inserted into a vertebral body. The left view is labeled 'first wedge position' and the right view is labeled 'second wedge position'. Red arrows in both cross-sections point to a red granular material (the wedge) positioned between the upper and lower vertebral endplates. The device's internal structure, including a central channel and side supports, is visible in both views.</p> <p>Expanded Collapsed</p> <p>first wedge position second wedge position</p> <p><i>See also</i> Rows 8A, 8C, and 8E.</p> <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd8lepSn7ho</p>

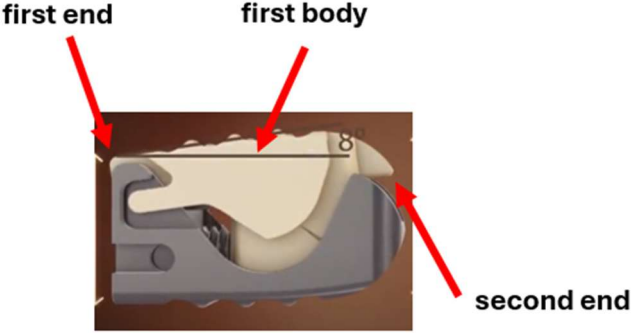
**EXHIBIT K1 - U.S. PATENT 12,011,367
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Row	Claim 9	
9	<p>The expandable intervertebral device of claim 8, wherein in the expanded configuration of the expandable intervertebral device the plurality of ridges on the first vertebral body engagement surface are configured to be in contact with the vertebral body surface.</p>	<p>The '367A Accused Instrumentalities include the limitations of claim 8 as described above.</p> <p>In the expanded configuration of the expandable intervertebral device the plurality of ridges on the first vertebral body engagement surface are configured to be in contact with the vertebral body surface.</p> <div style="display: flex; justify-content: space-around; align-items: center;">   </div> <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd81epSn7ho</p>

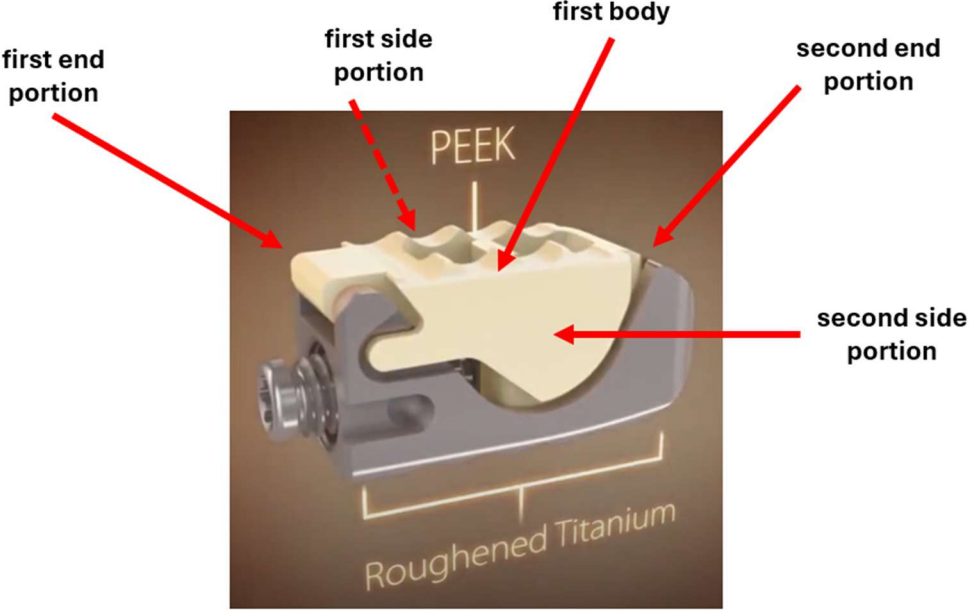
**EXHIBIT K1 - U.S. PATENT 12,011,367
Infringement Claim Chart**

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Row	Claim 13	
13	<p>The expandable intervertebral device of claim 8, wherein the second interior surface is substantially parallel with the second vertebral body engagement surface such that the wedge is configured to move along a path parallel to the second vertebral body engagement surface when the wedge slides within the space against the second interior surface.</p>	<p>The '367A Accused Instrumentalities include the limitations of claim 8 as described above.</p> <p>The second interior surface is substantially parallel with the second vertebral body engagement surface such that the wedge is configured to move along a path parallel to the second vertebral body engagement surface when the wedge slides within the space against the second interior surface.</p> <div style="text-align: center;">  </div> <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf</p>

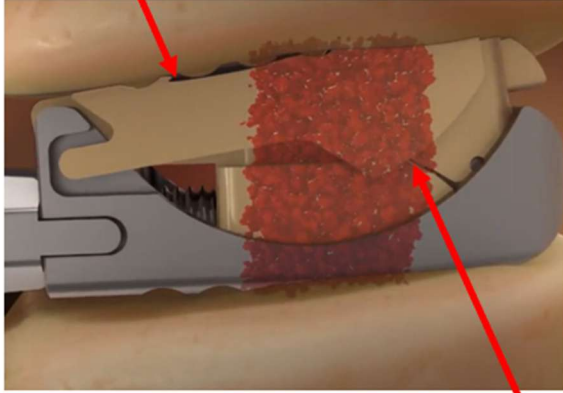
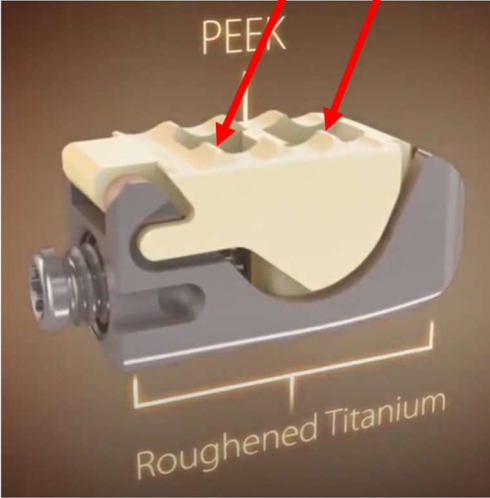
**EXHIBIT K1 - U.S. PATENT 12,011,367
Infringement Claim Chart**

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		https://www.youtube.com/watch?v=Jd81epSn7ho
Row	Claim 17	
17A	<p>An expandable intervertebral device comprising:</p> <p>a first body extending from a first end to a second end, wherein the first body has first and second end portions positioned at the first and second ends, respectively, and has first and second side portions extending between the first and second end portions,</p>	<p>To the extent the preamble is limiting, the '367A Accused Instrumentalities include an expandable intervertebral device. The '367A Accused Instrumentalities include a first body extending from a first end to a second end, wherein the first body has first and second end portions positioned at the first and second ends, respectively, and has first and second side portions extending between the first and second end portions.</p> <div style="text-align: center;">  </div>

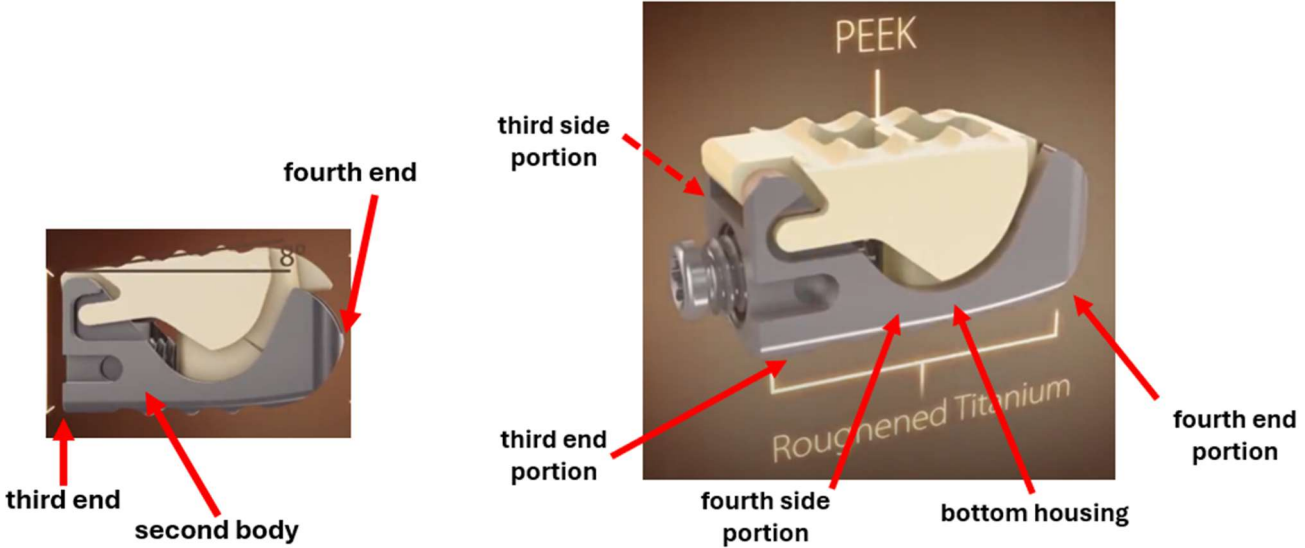
**EXHIBIT K1 - U.S. PATENT 12,011,367
Infringement Claim Chart**

U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
	 <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd81epSn7ho</p>
17B	<p>wherein the first body has a first vertebral body engagement surface having a first plurality of ridges formed therein and has a first interior surface</p> <p>The first body has a first vertebral body engagement surface having a first plurality of ridges formed therein and has a first interior surface positioned on an opposite side of the first body than the first vertebral body engagement surface.</p>

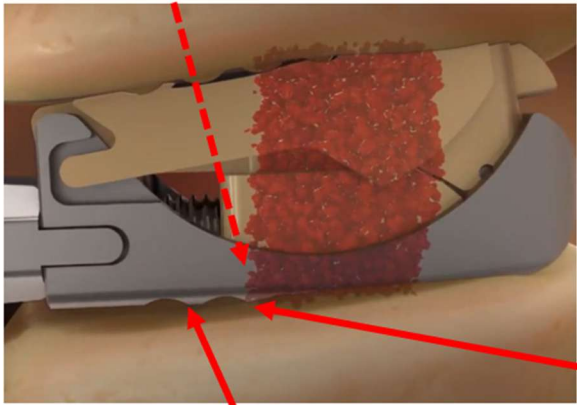
**EXHIBIT K1 - U.S. PATENT 12,011,367
Infringement Claim Chart**

U.S. Patent 12,011,367		Medtronic Infringing Activity ¹
	<p>positioned on an opposite side of the first body than the first vertebral body engagement surface;</p>	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>first vertebral body engagement surface</p>  <p>first interior surface</p> </div> <div style="text-align: center;"> <p>ridges</p>  <p>PEEK</p> <p>Roughened Titanium</p> </div> </div> <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd8lepSn7ho</p>
17C	<p>a second body extending from a third end to a fourth end, wherein the second body has third and fourth end portions positioned at the third and</p>	<p>The '367A Accused Instrumentalities include a second body extending from a third end to a fourth end, wherein the second body has third and fourth end portions positioned at the third and fourth ends, respectively, and has third and fourth side portions extending between the third and fourth end portions.</p>

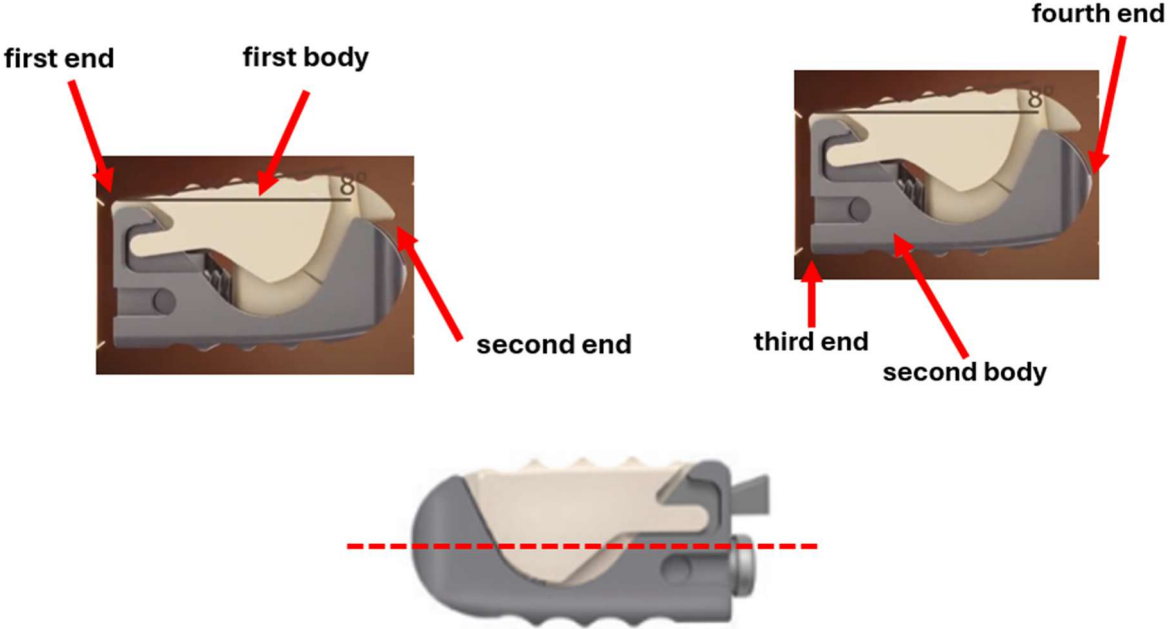
**EXHIBIT K1 - U.S. PATENT 12,011,367
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U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
<p>fourth ends, respectively, and has third and fourth side portions extending between the third and fourth end portions,</p>	 <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd81epSn7ho</p>
<p>17D wherein the second body has a second vertebral body engagement surface having a second plurality of ridges formed therein and has a second interior surface positioned on an</p>	<p>The second body has a second vertebral body engagement surface having a second plurality of ridges formed therein and has a second interior surface positioned on an opposite side of the second body than the second vertebral body engagement surface.</p>

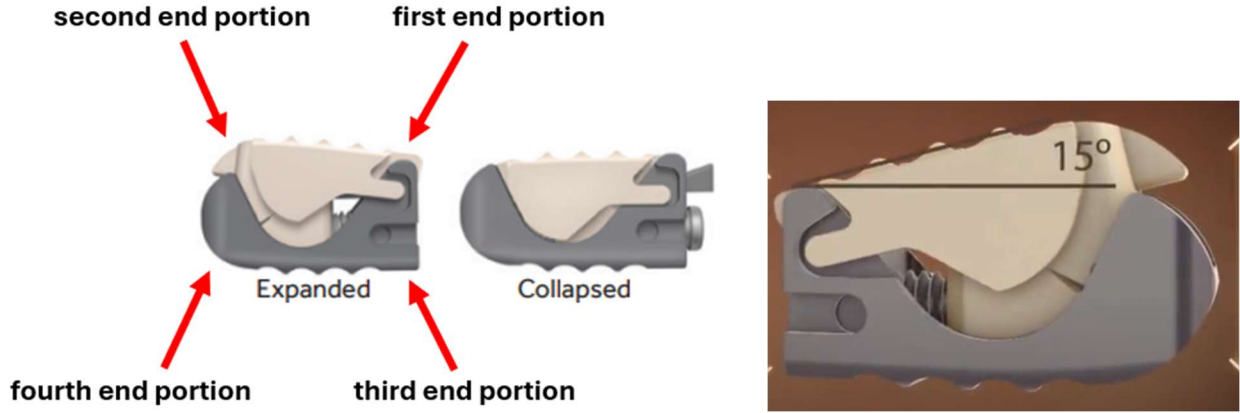
**EXHIBIT K1 - U.S. PATENT 12,011,367
Infringement Claim Chart**

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	opposite side of the second body than the second vertebral body engagement surface,	<p align="center">second interior surface</p>  <p align="center">second vertebral body engagement surface</p> <p align="right">ridges</p> <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd8lepSn7ho</p>
17E	wherein the first body is aligned with the second body such that the first end of the first body is axially aligned with the third end of the second body and the second end of the first body is	The first body is aligned with the second body such that the first end of the first body is axially aligned with the third end of the second body and the second end of the first body is axially aligned with the fourth end of the second body.

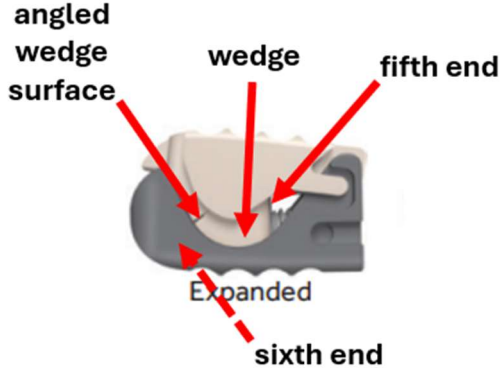
**EXHIBIT K1 - U.S. PATENT 12,011,367
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	axially aligned with the fourth end of the second body,	 <p>Exemplary Sources http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd81epSn7ho</p>
17F	wherein the first end portion of the first body and the third end portion of the second body are hingedly interconnected such	The first end portion of the first body and the third end portion of the second body are hingedly interconnected such that the first body can pivot with respect to the second body so as to move the second end portion of the first body away from the fourth end portion of the second body.

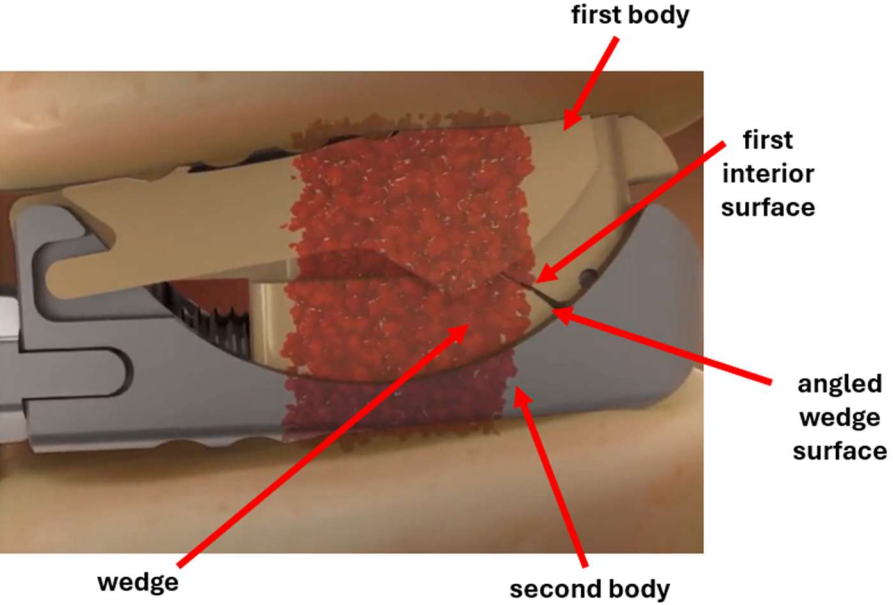
**EXHIBIT K1 - U.S. PATENT 12,011,367
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	<p>that the first body can pivot with respect to the second body so as to move the second end portion of the first body away from the fourth end portion of the second body; and</p>	 <p><i>See also Rows 8A and 8C.</i></p> <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs.%20Brochures.%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd81epSn7ho</p>
17G	<p>a wedge extending from a fifth end to a sixth end and having an angled wedge surface extending along at least a portion of a distance between the fifth end and the sixth end,</p>	<p>The '367A Accused Instrumentalities include a wedge extending from a fifth end to a sixth end and having an angled wedge surface extending along at least a portion of a distance between the fifth end and the sixth end.</p>

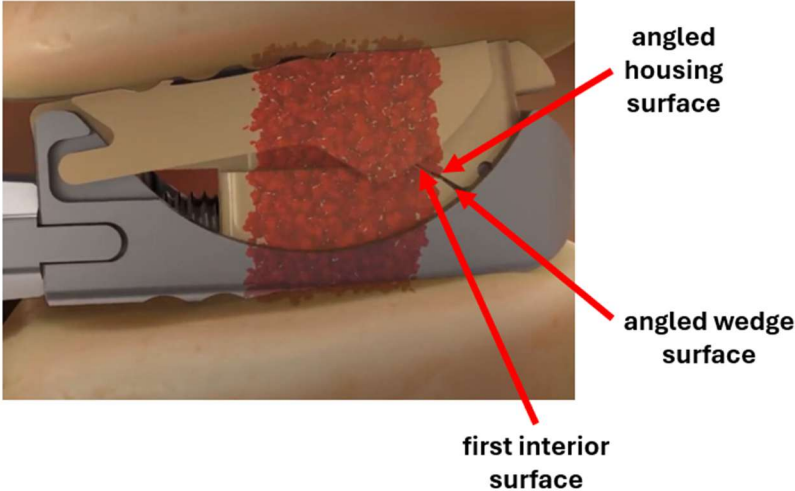
**EXHIBIT K1 - U.S. PATENT 12,011,367
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U.S. Patent 12,011,367		Medtronic Infringing Activity ¹
		 <p>The diagram shows a cross-section of a wedge (1) positioned between two bodies (2 and 3). The wedge has an angled surface (4) facing the first body (2). The wedge is shown in an expanded state, indicated by a dashed line and the word 'Expanded'. The fifth end (5) and sixth end (6) of the wedge are also labeled.</p> <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd8lepSn7ho</p>
17H	wherein the wedge is positioned between the first body and the second body with the angled wedge surface facing the first interior surface of the first body,	The wedge is positioned between the first body and the second body with the angled wedge surface facing the first interior surface of the first body.

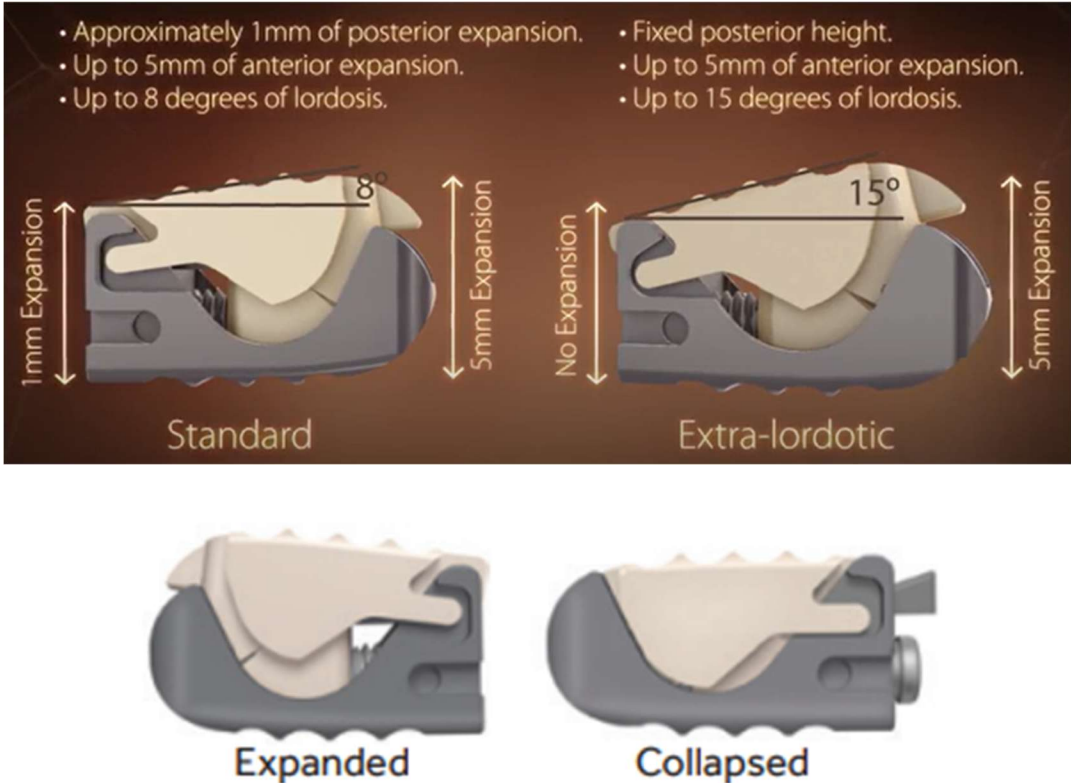
**EXHIBIT K1 - U.S. PATENT 12,011,367
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U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
	 <p>first body</p> <p>first interior surface</p> <p>angled wedge surface</p> <p>wedge</p> <p>second body</p> <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs.%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd81epSn7ho</p>
17I	<p>wherein the first interior surface of the first body has an angled housing surface shaped to engage the angled wedge surface of the wedge,</p> <p>The first interior surface of the first body has an angled housing surface shaped to engage the angled wedge surface of the wedge.</p>

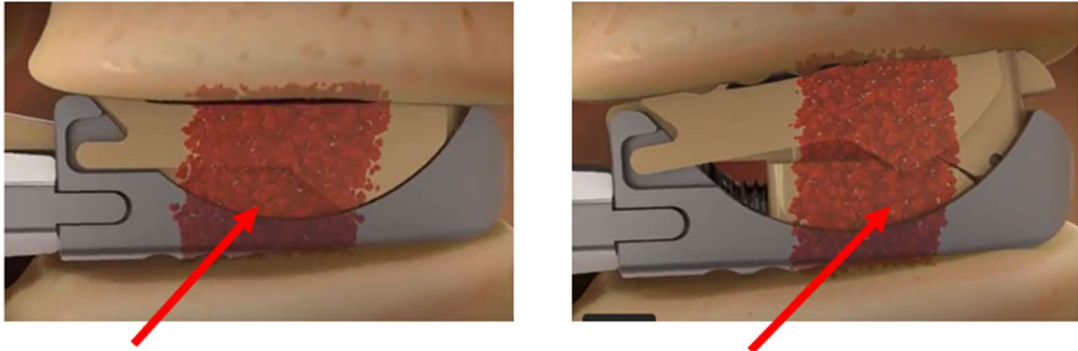
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U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
	 <p>angled housing surface</p> <p>angled wedge surface</p> <p>first interior surface</p> <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd81epSn7ho</p>
17J	<p>wherein the wedge is configured to slide within a space defined by the first body and second body in a direction toward the second and fourth ends of the first body and second body from a first wedge position that allows the first body and second body to pivot to a position that is substantially closed to a second wedge position whereby the angled wedge surface presses against the first interior surface of the first body to hingedly open the first body with respect to the second body whereby the wedge remains axially confined within the space defined by the first body and second body in the first and second wedge positions.</p>

**EXHIBIT K1 - U.S. PATENT 12,011,367
Infringement Claim Chart**

U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
<p>body and second body to pivot to a position that is substantially closed to a second wedge position whereby the angled wedge surface presses against the first interior surface of the first body to hingedly open the first body with respect to the second body whereby the wedge remains axially confined within the space defined by the first body and second body in the first and second wedge positions.</p>	<p>For example, a Medtronic promotional video states that the Elevate Spinal System has “Up to 5mm of anterior expansion.”</p>  <p>The diagram illustrates the mechanical differences between Standard and Extra-lordotic spinal wedges. The Standard wedge is shown with a 1mm posterior expansion, up to 5mm of anterior expansion, and up to 8 degrees of lordosis. The Extra-lordotic wedge is shown with a fixed posterior height, up to 5mm of anterior expansion, and up to 15 degrees of lordosis. Below the diagrams are 3D views of the Expanded and Collapsed states.</p>

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		 <p align="center">first wedge position second wedge position</p> <p><i>See also Rows 17A-17C and 17G.</i></p> <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd8lepSn7ho</p>
Row	Claim 18	
18	The expandable intervertebral device of claim 17, wherein a first length of the first body from the first end to the second end is substantially equal to a second length of the second body from the third end to the fourth end, and wherein the second end portion of the first body is smaller than the fourth end portion of the second body such that the second end portion of the first body is positionable between the third and fourth side portions of the second body at the fourth end of the second body.	The '367A Accused Instrumentalities include the limitations of claim 17 as described above.

**EXHIBIT K1 - U.S. PATENT 12,011,367
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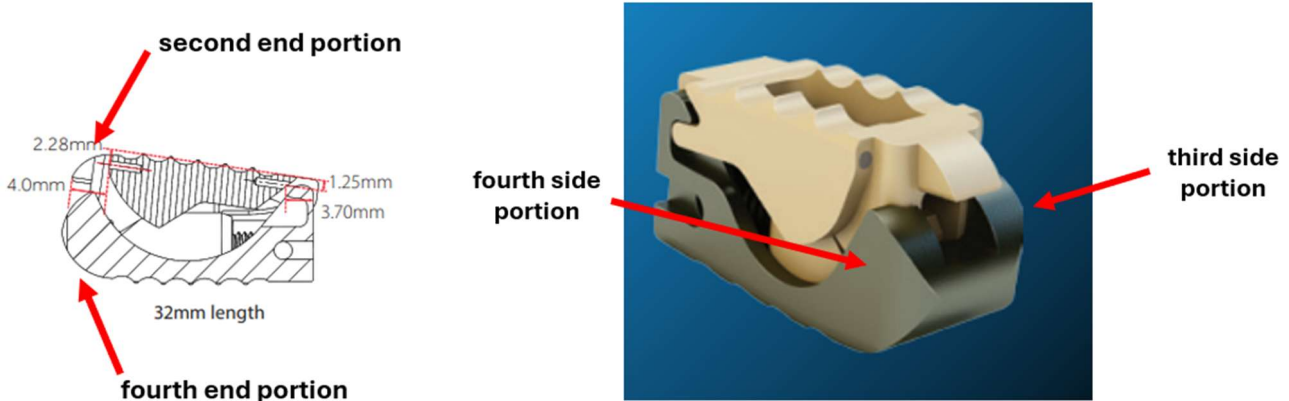
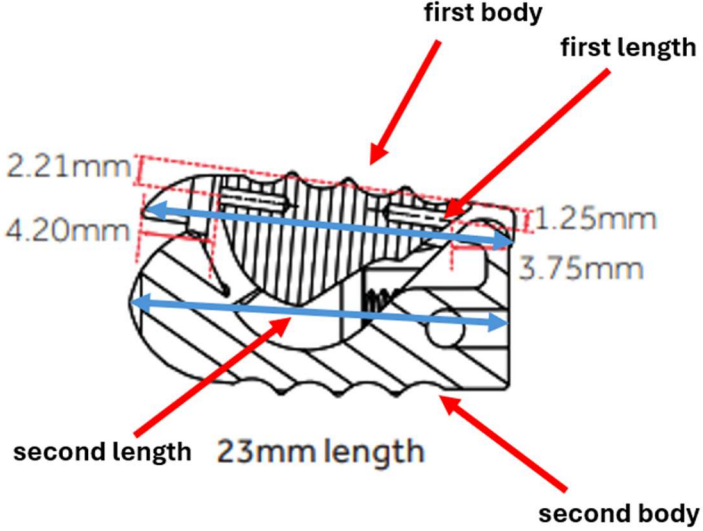
U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
<p>fourth end, and wherein the second end portion of the first body is smaller than the fourth end portion of the second body such that the second end portion of the first body is positionable between the third and fourth side portions of the second body at the fourth end of the second body.</p>	<p>For example, Medtronic promotional material states that the “PEEK nose is fully recessed within the Titanium Alloy bottom” in the collapsed position.</p>  <p>The technical drawing on the left shows a cross-section of a component with a total length of 32mm. It features a 'second end portion' at the top with a width of 2.28mm and a 'fourth end portion' at the bottom with a width of 4.0mm. A central section has a width of 3.70mm and a height of 1.25mm. The 3D model on the right shows the component in a collapsed position, with a 'fourth side portion' on the left and a 'third side portion' on the right.</p>

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U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
	 <p>The diagram shows a cross-section of a medical device with the following dimensions and labels:</p> <ul style="list-style-type: none">2.21mm: Dimension of the top section.4.20mm: Dimension of the middle section.1.25mm: Dimension of the top section on the right side.3.75mm: Dimension of the bottom section on the right side.23mm length: Total length of the device.first body: Label pointing to the top section.first length: Label pointing to the length of the top section.second body: Label pointing to the bottom section.second length: Label pointing to the length of the bottom section. <p>Below the technical drawing are two 3D perspective views of the device:</p> <ul style="list-style-type: none">Expanded: Shows the device in its expanded state.Collapsed: Shows the device in its collapsed state.

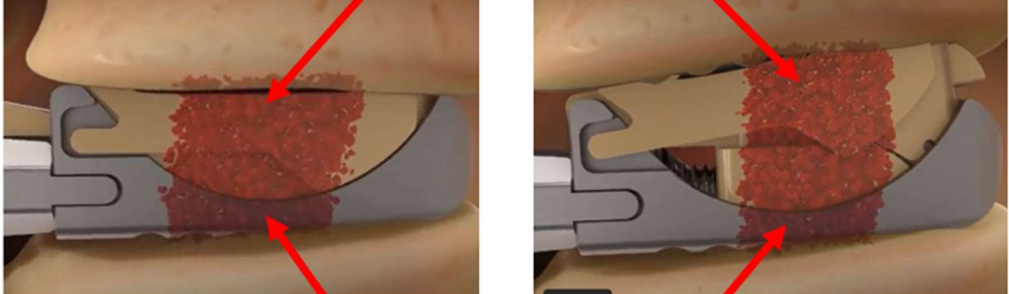

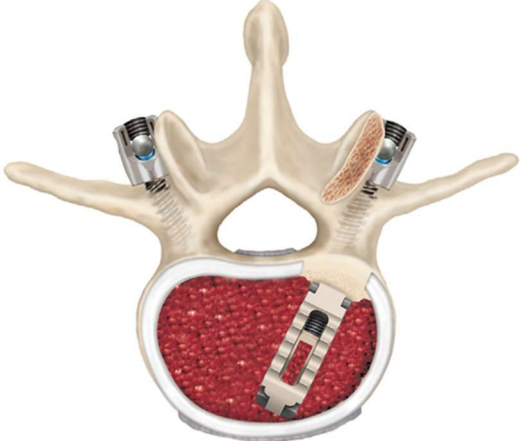
**EXHIBIT K1 - U.S. PATENT 12,011,367
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U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
	<p>ment. tip of the</p> <p>Note Ensure the screw on the back of the implant is fully retracted and the PEEK nose is fully recessed within the Titanium Alloy bottom.</p> <div data-bbox="919 462 1024 532"> <p>ment. tip of the</p> </div> <div data-bbox="1115 534 1738 1123"> <p>STANDARD PEEK nose is fully recessed within the Titanium Alloy bottom.</p> <p>EXTRA-LORDOTIC Screws are fully retracted</p> <p>CORRECT</p> <p>INCORRECT</p> </div> <p><i>See also</i> Rows 17A and 17C.</p> <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf</p>

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U.S. Patent 12,011,367		Medtronic Infringing Activity ¹
		https://www.youtube.com/watch?v=Jd81epSn7ho
Row	Claim 19	
19	The expandable intervertebral device of claim 18, wherein the first body defines a first bone material receiving area between the first and second end portions and the first and second side portions, and the second body defines a second bone material receiving area between the third and fourth end portions and the third and fourth side portions, and wherein the first bone material receiving area is coupled to the second bone material receiving area when the wedge is in the second wedge position.	<p>The '367A Accused Instrumentalities include the limitations of claim 18 as described above.</p> <p>The first body defines a first bone material receiving area between the first and second end portions and the first and second side portions, and the second body defines a second bone material receiving area between the third and fourth end portions and the third and fourth side portions, and wherein the first bone material receiving area is coupled to the second bone material receiving area when the wedge is in the second wedge position.</p> <p>For example, Medtronic promotional material describes the Elevate™ Spinal System as having “essential features” including “Continuous apposition of bone-graft-to-endplate during expansion” and an “Open volume design for appropriate bone graft material.” This material further states “This expandable interbody device is intended to be used with autograft and/or allogenic bone graft comprised of cancellous and/or corticocancellous bone. In addition to filling the implant, the disc space may be filled with appropriate bone grafting material” and “The hollow geometry of the implants allows them to be packed with autogenous and/or allogenic bone graft comprised of cancellous and/or corticocancellous bone.”</p>

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U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
	<p data-bbox="1255 370 1516 435">first bone material receiving area</p>  <p data-bbox="1213 873 1516 938">second bone material receiving area</p>  

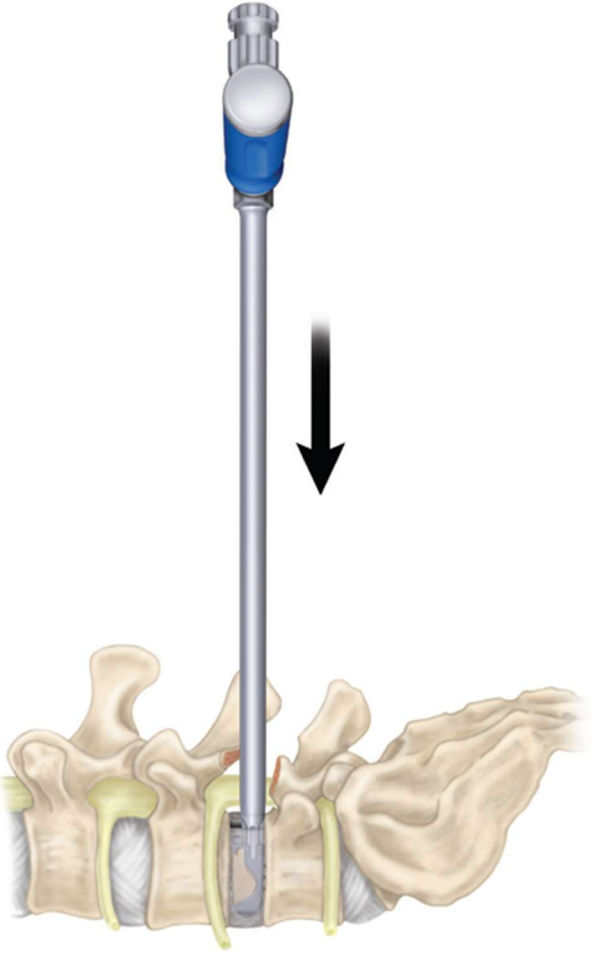
**EXHIBIT K1 - U.S. PATENT 12,011,367
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U.S. Patent 12,011,367		Medtronic Infringing Activity ¹
		<p>See also Claim 17, Rows 17A, 17C, and 17J.</p> <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd81epSn7ho</p>
Row	Claim 20	
20	<p>The expandable intervertebral device of claim 19, wherein a distance from the fifth end to the sixth end of the wedge is less than a distance from the first end to the second end of the first body and is less than a distance from the third end to the fourth end of the second body.</p>	<p>The '367A Accused Instrumentalities include the limitations of claim 19 as described above.</p> <p>A distance from the fifth end to the sixth end of the wedge is less than a distance from the first end to the second end of the first body and is less than a distance from the third end to the fourth end of the second body.</p>

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U.S. Patent 12,011,367		Medtronic Infringing Activity ¹
		<p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd81epSn7ho</p>
Row	Claim 21	
21A	<p>A method of operating the expandable intervertebral device of claim 17, the method comprising:</p> <p>inserting the expandable intervertebral device in a target surgical location between two vertebrae of a human patient; and</p>	<p>The '367A Accused Instrumentalities include the limitations of claim 17 as described above.</p> <p>The '367A Accused Instrumentalities include a method of operating the expandable intervertebral device of claim 17 that includes inserting the expandable intervertebral device in a target surgical location between two vertebrae of a human patient.</p> <p>For example, Medtronic promotional material for the Elevate™ Spinal System instructs the user to “Thread the Inner Locking Tube into the Inserter in order to assemble the Inserter Assembly (Figure 3). Next attach the implant to the Inserter by turning the Inner Locking Tube clockwise (Figure 4). It is recommended that the implant be attached to the Inserter so the PEEK portion of the implant with x-ray markers is superior during the insertion. Carefully insert the implant into the disc space (Figure 5). A mallet may be used to facilitate placement. Advance the implant anteriorly so that the leading tip of the implant rests on the anterior apophyseal ring.”</p>

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	 <p data-bbox="1325 1365 1394 1385">Figure 5</p>

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Infringement Claim Chart**

U.S. Patent 12,011,367		Medtronic Infringing Activity ¹
		<p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd81epSn7ho</p>
21B	<p>turning a rotation screw to actuate a movement of the wedge to pivot the first body away from the second body while the device is positioned between the vertebrae of the human patient.</p>	<p>The method includes turning a rotation screw to actuate a movement of the wedge to pivot the first body away from the second body while the device is positioned between the vertebrae of the human patient.</p> <p>For example, a Medtronic promotional video states that the Elevate Spinal System has “Up to 5mm of anterior expansion.”</p> <p>For example, Medtronic promotional material instructs users to “Ensure the screw on the back of the implant is fully retracted and the PEEK nose is fully recessed within the Titanium Alloy bottom” during insertion. This material further states “In order to expand the implant inside the disc space, insert the Inserter Drive Shaft along with the attached Torque Handle inside the Inserter Assembly (Figure 6). Next, turn the Torque Handle clockwise to expand the implant (Figure 7).”</p>

EXHIBIT K1 - U.S. PATENT 12,011,367
Infringement Claim Chart

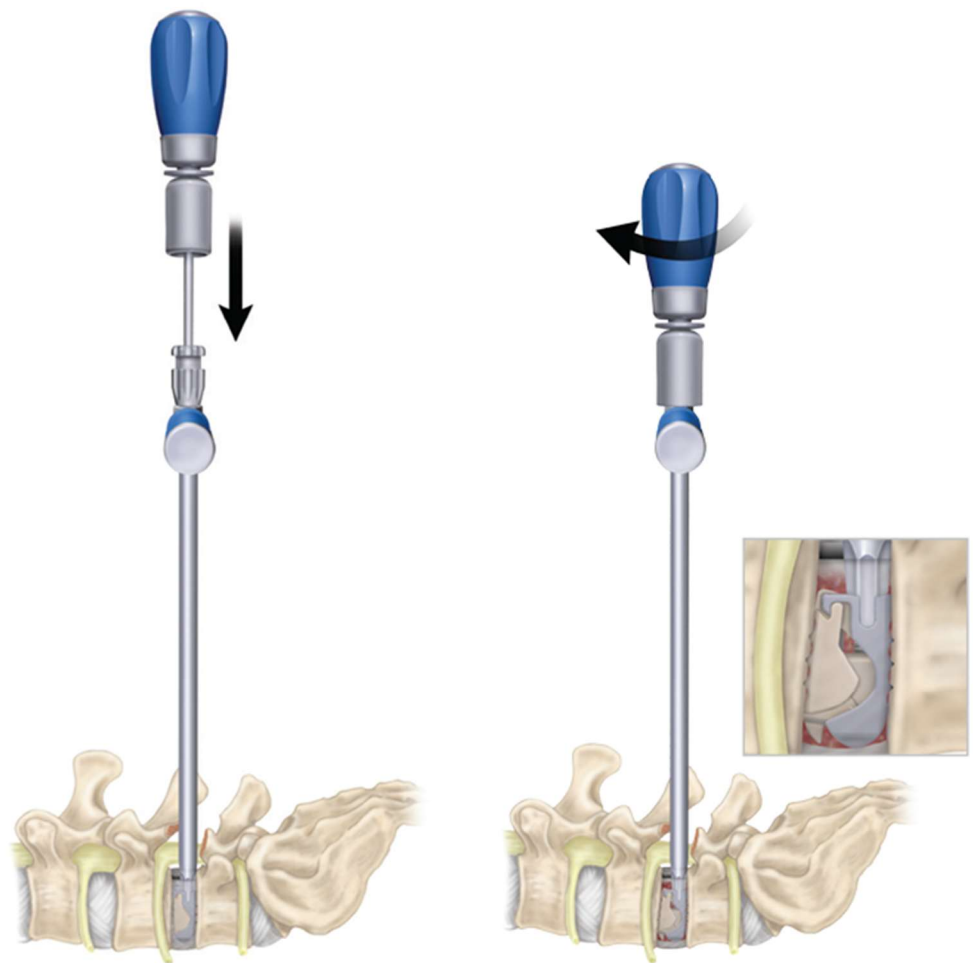
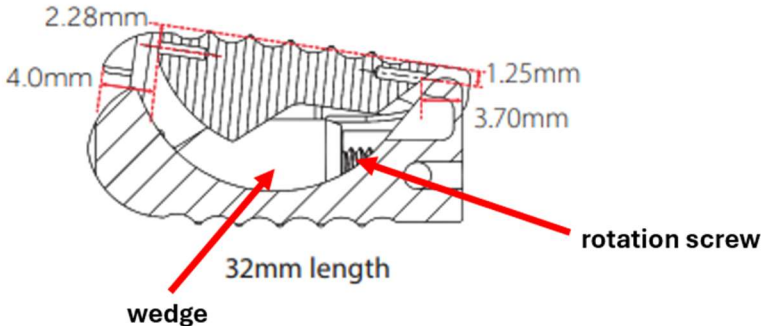

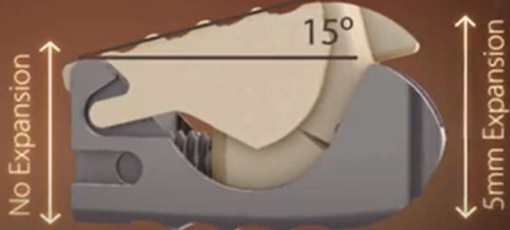
U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
	 <p>Figure 6</p> <p>Figure 7</p>

EXHIBIT K1 - U.S. PATENT 12,011,367
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U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
	 <p>2.28mm 4.0mm 1.25mm 3.70mm 32mm length wedge rotation screw</p> <div data-bbox="821 727 1885 1187"> <ul style="list-style-type: none"> • Approximately 1mm of posterior expansion. • Up to 5mm of anterior expansion. • Up to 8 degrees of lordosis.  <p>Standard</p> <ul style="list-style-type: none"> • Fixed posterior height. • Up to 5mm of anterior expansion. • Up to 15 degrees of lordosis.  <p>Extra-lordotic</p> </div>

**EXHIBIT K1 - U.S. PATENT 12,011,367
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U.S. Patent 12,011,367	Medtronic Infringing Activity ¹
	<p>nt. of the</p> <p>Note Ensure the screw on the back of the implant is fully retracted and the PEEK nose is fully recessed within the Titanium Alloy bottom.</p> <div data-bbox="940 462 1726 1133"> <p>STANDARD PEEK nose is fully recessed within the Titanium Alloy bottom.</p> <p>EXTRA-LORDOTIC</p> <p>CORRECT</p> <p>Screws are fully retracted</p> <p>INCORRECT</p> </div> <p><u>Exemplary Sources</u> http://www.neurosurgeryresident.net/Op.%20Operative%20Techniques/00.%20Catalogs,%20Brochures,%20Manuals/Medtronic/Spine/Medtronic%20-%20ELEVATE%20(expandable%20cage).pdf https://www.youtube.com/watch?v=Jd81epSn7ho</p>