

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Spineology, Inc.,

Plaintiff,

v.

Case No. 15-cv-180 (JNE)

ORDER

Wright Medical Technology, Inc.,

Defendant.

This case is before the Court on remand from the United States Court of Appeals for the Federal Circuit. *See Spineology, Inc. v. Wright Med. Tech., Inc.*, No. 2017-2388, 2018 WL 3323183 (Fed. Cir. July 6, 2018). The Federal Circuit directed this Court to “vacate the judgment of invalidity as to claims 15, 21–23, and 35” of U.S. Patent No. RE42,757 and to “enter judgment of non-infringement as to those claims.” *Id.* at \*1; *see id.* at \*4 (remanding “with direction that the district court vacate its own determination of invalidity” and “with directions that the court enter judgment of non-infringement as to those claims”). Accordingly, IT IS ORDERED THAT:

1. The Orders [Docket Nos. 71 and 164] dated August 30, 2016, and July 25, 2017, and the Judgment [Docket No. 165] dated July 25, 2017, are VACATED insofar as the Court determined that claims 15, 21–23, and 35 of U.S. Patent No. RE42,757 are invalid.
2. Judgment of non-infringement as to claims 15, 21–23, and 35 of U.S. Patent No. RE42,757 is entered.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 17, 2018

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge