CERTIFICATE OF SERVICE

I hereby certify that on April 21, 2005, I electronically filed the attached **PUBLIC VERSION – DECLARATION OF THOMAS L. HALKOWSKI IN SUPPORT OF KYPHON INC.'S OPPOSITIONS TO DOT'S PROPOSED CLAIM CONSTRUCTION AND MOTIONS FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT AND INVALIDITY** with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

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