REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

TO: Commissioner of Patents and Trademarks
Washington, D.C. 20231

In compliance with 35:290 and/or 15 U.S.C. 1116 you are hereby advised that a court action has been filed on the following patent(s)/trademarks in the U.S. District Court:

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
CA 04-0204	04/02/04	District of Delaware

PLAINTIFF	DEFENDANT
Kyphon Inc.	Disc-O-Tech Medical

	PATENT/TRADEMARK NO.	DATE OF PATENT/TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	4,969,888	11/30/90	Arie Scholten
2	5,108,404	4/28/92	Arie Scholten
3	US 6,235,043 B1	5/22/01	Kyphon Inc.
4	US 6,248,110	6/19/01	Kyphon Inc.

In the above-entitled case, the following patent(s) have been included:

DATE INCLUDED INCLUDED BY [ ] Amendment [ ] Answer [ ] Cross Bill [ ] Other Pleading

	PATENT/TRADEMARK NO.	DATE OF PATENT/TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1			
2			
3			
4			
5			

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

See attached

Anita Belton 10/28/05

CLERK (BY) DEPUTY CLERK DATE

PETER T. DALLEO, CLERK 04/05/04