

Alphatec Holdings, Inc.  
Form 8-K  
December 12, 2007

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**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**

Washington, D.C. 20549

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**FORM 8-K**

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**CURRENT REPORT**

Pursuant to Section 13 or 15(d)

of the Securities Exchange Act of 1934

Date of Report (Date of earliest event reported): December 11, 2007

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**ALPHATEC HOLDINGS, INC.**

(Exact name of registrant as specified in its charter)

**Delaware**  
(State or other jurisdiction

of incorporation)

**000-52024**  
(Commission File Number)

**2051 Palomar Airport Road**

**Carlsbad, CA 92011**

(Address of principal executive offices and zip code)

Registrant's telephone number, including area code: (760) 431-9286

**20-2463898**  
(IRS Employer

Identification No.)

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Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (*see* General Instruction A.2. below):

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- .. Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  - .. Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  - .. Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - .. Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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**Item 8.01 Other Events**

In another case initiated by DePuy Spine, Inc. ( DePuy Spine ) involving the alleged infringement of U.S. Patent No. 5,207,678 (the 678 Patent ) by a spine company, the United States District Court for the Central District of California issued an order dated December 7, 2007 that granted DePuy Spine s motion for reconsideration regarding the court s prior invalidation of five of the seven claims of the 678 Patent. The court has set a deadline of February 1, 2008 for both parties to submit all briefs related to such reconsideration. As previously disclosed, a subsidiary of Alphatec Holdings, Inc., Alphatec Spine, Inc., is the defendant in a suit initiated by DePuy Spine that alleges infringement of the 678 Patent.

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**ALPHATEC HOLDINGS, INC.**

Dated: December 12, 2007

/s/ Eburn S. Garner, Esq.  
Eburn S. Garner, Esq.  
General Counsel and Vice President, Compliance