

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

MEDTRONIC, INC., and MEDTRONIC VASCULAR, INC.
Petitioner

v.

MARITAL DEDUCTION TRUST
Patent Owner

Case IPR2014-00100
Patent 5,593,417

PETITIONER MEDTRONIC'S DEMONSTRATIVE EXHIBITS

Attorney Docket No. 058888-0000015
Jack S. Barufka

The '417 Patent Specification Describes An Improvement to the Projections of the Patentee's Prior '154 Patent

The graft of my aforementioned patent makes use of some anchoring means, e.g., small dome shaped projections, for aiding in the securement of the graft in place within the vessel, duct, or lumen. While such anchoring means are believed effective for their intended purpose, they never the less appear to be amenable to improvement insofar as graft retention is concerned.

U.S. Patent No. 5,593,417, Col. 3, lines 21-27

The '417 Patent Specification States That Its Device is Constructed According to the Teachings of the Prior '154 Patent, Except for the Anchoring Means

constructed in accordance with this invention. The graft device 20 is constructed in accordance with the teachings of my aforementioned patent, except for the means for fixedly holding it in place within the vessel, duct, or lumen. In this regard the subject invention makes use of anchoring means, to be described later, which offer an improvement in retention over the "protuberances" disclosed in my aforementioned patent.

U.S. Patent No. 5,593,417, Col. 5, lines 10-17

The '417 Patent Specification States That the Projections Can Take Numerous Sizes or Shapes, So Long As They are Oriented at an Acute Angle

It should be pointed out that anchoring projections constructed in accordance with this invention can take numerous other shapes and sizes than those shown herein. In this regard, the projections need not include sharp edges and/or planar surfaces or points, and can be rounded, domed, or any other suitable shape, so long as they are preferentially oriented to project or extend at some acute angle to the direction of fluid flow, whereupon the force applied to them by the fluid flowing through the vessel, duct, or lumen, in which the device to be secured by them flows produces on each of them a force component extending in the direction of the fluid flow and a force component extending perpendicularly to that direction. As discussed above this action

U.S. Patent No. 5,593,417, Col. 9, lines 1-13

During Prosecution, the Patentee Argued That His Earlier '154 Patent Discloses a Similar Device With Anchoring Means, But Not as Now Claimed

The combined features as set forth in Claim 1 as amended herein define over all the prior art now of record. For example, while the primary reference relied upon to reject Claims 1, and 9 - 15, that is, the applicant's own patent 5,122,154 discloses a similar device with anchoring means to secure it to the wall of the vessel, duct, or lumen in which it is located, the teachings of this patent do not disclose nor suggest the anchoring means now being claimed. In this regard the anchoring means of applicant's

Amendment filed May 15, 1996 at p. 4

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