

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

MEDTRONIC, INC., MEDTRONIC VASCULAR, INC.,  
and MEDTRONIC COREVALVE, LLC  
Petitioner

v.

TROY R. NORRED, M.D.  
Patent Owner

---

Case IPR2014-00110  
Patent 6,482,228

---

Attorney Docket No. 058888-0000014

---

**PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE**

## TABLE OF CONTENTS

I.	NORRED CANNOT REMOVE DIMATTEO AS PRIOR ART .....	1
A.	Proper Construction of the “Means for Mounting and Moving” .....	1
B.	Norred Cannot Establish Conception Prior to the Effective Date of DiMatteo as a Reference (October 21, 1999).....	4
C.	Norred Fails to Prove He Was Diligent in Reducing the Claimed Invention to Practice During the Critical Period.....	7
II.	DIMATTEO ANTICIPATES CLAIMS 16-19 .....	12
III.	WOLFE ANTICIPATES CLAIMS 16-18 .....	13
IV.	CONCLUSION.....	15

## EXHIBIT LIST

Exhibit Description	Exhibit No.
U.S. Patent 5,469,868 to Reger	1007
U.S. Patent 6,245,101 to Drasler et al.	1008
Transcript of October 7, 2014 Deposition of Timothy Titus Catchings, M.D.	1009
Transcript of October 8, 2014 Deposition of Troy R. Norred, M.D.	1010
Transcript of October 9, 2014 Deposition of James J. Kernell	1011
Corrected Petition (Paper 4) in IPR2014-00111	1012
Translation of German Patent App. No. DE 195-46-692 to Figulla et al. - Application as Filed (with a certification from Abraham I. Holczer attesting to the accuracy of the translation) (This is Exhibit 1006 in IPR2014-00111) (Patent Owner Exhibit 2124 is the file history for this patent without any translation)	1013
German Patent App. No. DE 198-57-887 A1 to Fraunhofer Corporation (This is Exhibit 1007 in IPR2014-00111)	1014
Translation of German Patent App. No. DE 198-57-887 A1 to Fraunhofer Corporation (with a certification from Abraham I. Holczer attesting to the accuracy of the translation) (This is Exhibit 1008 in IPR2014-00111) (This is also Patent Owner Exhibit 2126)	1015
Declaration of Felix Harbsmeier with attached exhibits (1-5). (This is Exhibit 1013 in IPR2014-00111)	1016
Decision Instituting Inter Partes Review in IPR2014-00111 (Paper 10)	1017
Expert Declaration of Alexander J. Hill, PhD	1018
“Anatomy of the aortic root: implications for valve-sparing surgery”, by Efstratios I. Charitos, Hans-Hinrich Sievers, Department of Cardiac and Thoracic Vascular Surgery, University of Lübeck, Lübeck, Germany, published in the Annals of Cardiothoracic Surgery, Vol. 2, No 1., pages 53-56 (January 2013)	1019

## TABLE OF AUTHORITIES

### Cases

<i>ABB v. Roy-G-Biv Corp.</i> , IPR2013-00062, Paper 84 (April 11, 2014) .....	9
<i>Beckson Marine, Inc. v. NFM, Inc.</i> , 144 Fed. Appx. 862 (Fed. Cir. 2005).....	4
<i>Bey v. Kollonitsch</i> , 806 F.2d 1024 (Fed. Cir. 1986) .....	10
<i>Fidelity Nat'l Info. Servs., Inc. v. DataTreasury Corp.</i> , IPR2014-00489, Paper 9 (August 13, 2014) .....	13, 15
<i>Garmin v. Cuozzo</i> , IPR2012-00001, Paper 59 (Nov. 13, 2013).....	9
<i>Gould v. Schawlow</i> , 363 F.2d 908 (C.C.P.A. 1966).....	8
<i>In re Donaldson Co., Inc.</i> , 16 F.3d 1189 (Fed. Cir. 1994) .....	1
<i>In re Enhanced Sec. Research, LLC</i> , 739 F.3d 1347 (Fed. Cir. 2014) .....	10
<i>Iron Dome LLC v. E-Watch, Inc.</i> , IPR2014-00439, Paper 16 (August 4, 2014) .....	8, 9, 10
<i>Kondo v. Martel</i> , 223 USPQ 528 (Bd. Pat. Int'f 1984).....	12
<i>Mahurkar v. C.R. Bard, Inc.</i> , 79 F.3d 1572 (Fed. Cir. 1996) .....	7
<i>Rines v. Morgan</i> , 250 F.2d 365 (C.C.P.A. 1957).....	10
<i>Slip Track Sys., Inc. v. Metal-Lite, Inc.</i> , 304 F.3d 1256 (Fed. Cir. 2002) .....	4, 5

Rules and Regulations

Code of Federal Regulations

Title 37, section 42.22(a)(2) .....13  
Title 37, section 42.6(a)(3) .....13

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.