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

CORRECTED PETITION FOR INTER PARTES REVIEW UNDER 37 C.F.R. § 42.100



TABLE OF CONTENTS

I.	MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(a)(1)	1
	A. Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1)	1
	B. Related Matters Under 37 C.F.R. § 42.8(b)(2)	1
	C. Lead and Back-Up Counsel Under 37 C.F.R. § 42.8(b)(3)	1
	D. Service Information Under 37 C.F.R. § 42.8(b)(4)	2
II.	PAYMENT OF FEES UNDER 37 C.F.R. § 42.103	2
III	SUMMARY OF THE '228 PATENT	3
	A. Description of the Alleged Invention of the '228 Patent	3
	B. Summary of the Prosecution History of the '228 Patent	
IV	7. REQUIREMENTS FOR <i>INTER PARTES</i> REVIEW UNDER 37 C.F.R. §§ 42.104	
	A. Grounds for Standing Under 37 C.F.R. § 42.104(a)	7
	B. Identification of Challenge Under 37 C.F.R. § 42.104(b) and Relief Requested	7
	C. Claims for Which <i>Inter Partes</i> Review Is Requested Under 37 CFR § 42.104(b)(1)	7
	D. The Specific Art and Statutory Ground(s) on Which the Challenge Is Based Under 37 C.F.R. § 42.104(b)(2)	
	E. How the Challenged Claims Are to Be Construed Under 37 C.F.R. §42.104(b)(3)	8
	1. "membrane"	
	2. "Means for mounting"	9
	3. "Means for maintaining". F. How the Construed Claim(s) Are Unpatentable Under 37 C.F.R. § 42.104(b)(4)	
	G. Supporting Evidence Under 37 C.F.R. § 42.104(b)(5)	
V.	DETAILED EXPLANATION OF PERTINENCE AND MANNER OF APPLYING CITED PRIOR ART TO EVERY CLAIM FOR WHICH REVIEW IS REQUESTED UNDER 37 C.F.R. § 42.104(b) (4)	
	A. Claims 16-19 are Anticipated Under 35 U.S.C. §102(e) by U.S. Patent No. 6,440,164 to DiMatteo (Exh. 1003)	



	B. Claims 16-18 are Anticipated Under 35 U.S.C. §102(b) by U.S. Patent N 3,548,417 to Kischer (Exh. 1004)	
	C. Claims 16-19 are Anticipated Under 35 U.S.C. §102(e) by U.S. Patent N 6,299,637 to Shaolian (Exh. 1005)	lo.
	D. Claims 16-18 are Anticipated Under 35 U.S.C. §102(b) by U.S. Patent N 4,030,142 to Wolfe (Exh. 1006)	
VI	CONCLUSION	16



Exhibit List for Inter Partes Review of U.S. Patent No. 6,482,228

Exhibit Description	Exhibit No.
U.S. Patent No. 6,482,228 to Norred	1001
File History for U.S. Patent No. 6,482,228	1002
U.S. Patent No. 6,440,164 to DiMatteo	1003
U.S. Patent No. 3,548,417 to Kischer	1004
U.S. Patent No. 6,299,637 to Shaolian et al.	1005
U.S. Patent No. 4,030,142 to Wolfe	1006



Inter partes review is respectfully requested for claims 16-19 of U.S. Patent No. 6,482,228 ("the '228 Patent") (Exh. 1001).

I. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(a)(1)

The following mandatory notices are provided as part of this Petition.

A. Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1)

Medtronic, Inc., Medtronic Vascular, Inc., and Medtronic CoreValve, LLC¹ (collectively "Petitioner") are the real parties-in-interest.

B. Related Matters Under 37 C.F.R. § 42.8(b)(2)

The '228 Patent is presently the subject of litigation brought by the Patent Owner against Petitioner in the U.S. District Court for the District of Kansas in a case titled *Troy R. Norred. M.D. v. Medtronic, Inc., et al.*, No. 2:13-cv-02061 (Feb. 6, 2013). In addition, the '228 Patent is the subject of IPR2014-00111, which is concurrently filed with this petition.

C. Lead and Back-Up Counsel Under 37 C.F.R. § 42.8(b)(3)

Petitioner provides the following designation of counsel:

¹ On or about April 9, 2009, CoreValve, Inc. merged into Medtronic-CoreValve, Inc., which was subsequently renamed Medtronic CoreValve, LLC, and is therefore not identified as a separate petitioner.



DOCKET

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.

