

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

---

**PATENT OWNER'S REQUEST FOR ORAL ARGUMENT**

Pursuant to 37 C.F.R. § 42.70(a), Patent Owner submits this Request for Oral Argument on all of the instituted grounds of unpatentability of claims 16-19 of U. S. Patent No. 6,482,228 under 35 U.S.C. § 102. The Board has already scheduled Oral Hearing for January 27, 2015 (Paper 28). Patent Owner respectfully requests that the Board provide Patent Owner with 30 minutes in which to present its arguments in response to Petitioner's arguments in this case.<sup>1</sup>

Patent Owner requests to address the following issues, without waiving consideration of any issue not listed below:

1. Whether Patent Owner has met his burden of proving he is entitled to a date of invention prior to U. S. Patent No. 6,440,164 to DiMatteo ("DiMatteo").
2. Whether Petitioner has met its burden of proving that DiMatteo anticipates claims 16-19 of the '228 Patent.
3. Whether Petitioner has met its burden of proving that U. S. Patent No. 4,030,142 to Wolfe anticipates claims 16-18 of the '228 Patent.

---

<sup>1</sup> Patent Owner is requesting, in concurrent filings, an additional 30 minutes of oral argument in Case No. IPR2014-00111 and in Case No. IPR2014-00395, for 90 minutes of oral argument total.

4. Whether Patent Owner has met his burden of proving that proposed substitute claim 25 is patentable over prior art.

Respectfully Submitted,

By: /s/ James J. Kernell

James J. Kernell, Reg. No. 42720  
ERICKSON KERNELL DERUSSEAU  
& KLEYPAS, LLC  
8900 State Line Road, Suite 500  
Leawood, Kansas 66206  
Telephone: (913) 549-4700  
Facsimile: (913) 549-4646  
Email: [jjk@kcpatentlaw.com](mailto:jjk@kcpatentlaw.com)

David L. Marcus (*pro hac vice*)  
BARTLE & MARCUS LLC  
1100 Main Street, Suite 2730  
Kansas City, Missouri 64105  
Telephone: (816) 256-4699  
Facsimile: (816) 222-0534  
Email: [dmarcus@bmlawkc.com](mailto:dmarcus@bmlawkc.com)

*Attorneys for Patent Owner*  
*Troy Norred, M.D.*

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of December 2014, the foregoing Request for Oral Argument has been served electronically through the Patent Trial and Appeals Board's Patent Review Processing System (PRPS) upon the lead and back-up counsel for the Petitioner, JACK BARUFKA and EVAN FINKEL, both of Pillsbury Winthrop Shaw Pittman LLP.

/s/ James J. Kernell

Attorney for Patent Owner