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 IPR2014-00111 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)	
	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	.5
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)	.6
	B. Identification of Challenge Under 37 C.F.R. § 42.104(b) and Relief Requested	.6
	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)	.7
	1. "tissue"	
	2. "Means for maintaining"	.8
	F. How the Construed Claim(s) Are Unpatentable Under 37 C.F.R. § 42.104(b)(4)	.9
	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)	9
	A. Claims 20-24 are Anticipated Under 35 U.S.C. §102(a) by "A Foldable, Artificial Heart Valve," March 3, 2000, Spiegel Online Article (Exhs. 1003 & 1004)	



В.	Claims 20-24 are Anticipated Under 35 U.S.C. §102(b) by DE Patent Application No. 195 46 692 to Figulla (Exhs. 1005 & 1006)
C.	Claims 20-24 are Anticipated Under 35 U.S.C. §102(a) by DE Patent Application No. 198 57 887 A1 to Fraunhofer Corporation (Exhs. 1007 & 1008)
D.	. Claims 20-24 are Anticipated Under 35 U.S.C. §102(e) by U.S. Patent No. 6,454,799 to Schreck (Exh. 1009)
E.	Claims 20-24 are Anticipated Under 35 U.S.C. §102(e) by U.S. Patent No. 6,425,916 to Garrison (Exh. 1010)
F.	Claims 20-24 are Anticipated Under 35 U.S.C. §102(b) by U.S. Patent No. 3,657,744 to Ersek (Exh. 1011)
G.	. Claims 20-23 are Obvious Under 35 U.S.C. §103 Over Spiegel In View of Shu (Exhs. 1003, 1004 & 1012)
Η.	. Claims 20-23 are Obvious Under 35 U.S.C. §103 Over Figulla In View of Shu (Exhs. 1005, 1006 & 1012)
I.	Claims 20-23 are Obvious Under 35 U.S.C. §103 Over Fraunhofer In View of Shu (Exhs. 1007, 1008 & 1019)
J.	Claims 22 & 23 are Obvious Under 35 U.S.C. §103 Over Schreck In View of Shu (Exhs. 1009 & 1012)23
K	. Claims 20-23 are Obvious Under 35 U.S.C. §103 Over Garrison In View of Shu (Exhs. 1010 & 1012)
L.	Claims 20-23 are Obvious Under 35 U.S.C. §103 Over Ersek In View of Shu (Exhs. 1011 & 1012)
VI.	CONCLUSION



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
"A Foldable, Artificial Heart Valve" Spiegel Online Article	1003
Translation of "A Foldable, Artificial Heart Valve" Spiegel Online Article (with a certification from Abraham I. Holczer attesting to the accuracy of the translation)	1004
German Patent App. No. DE 195-46-692 to Figulla et al Application as Filed	1005
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)	1006
German Patent App. No. DE 198-57-887 A1 to Fraunhofer Corporation	1007
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)	1008
U.S. Patent No. 6,454,799 to Schreck	1009
U.S. Patent No. 6,425,916 to Garrison et al.	1010
U.S. Patent No. 3,657,744 to Ersek	1011
U.S. Patent No. 6,139,575 to Shu et al.	1012
Declaration of Felix Harbsmeier with attached exhibits (1-5): Exhibit 1: German Patent No. DE 195-46-692 C2 as granted on November 7, 2002 [also attached at Exh. 1014].	1013
Exhibit 2: The complete prosecution history for patent DE 195-46-692 C1 [also attached at Exh. 1015].	
Exhibit 3: German Patent App. No. DE 195-46-692 as filed on December 14, 1995 [also attached at Exh. 1005, with certified English translation at Exh. 1006].	
Exhibit 4: German Patent App. No. DE 195-46-692 A1 as published on June 19, 1997 [also attached at Exh. 1016, with cer-	



Exhibit Description	Exhibit No.
tified English translation at Exh. 1017].	
Exhibit 5: Sections 31 and 32 of the German Patent Act in effect as of June 19, 1997 through November 14, 2000 [also attached at Exh. 1018, with certified English translation at Exh. 1019].	
German Patent No. DE 195-46-692 C2	1014
German Patent No. DE 195-46-692 C1 Prosecution History	1015
German Patent App. No. DE 195-46-692 A1 to Figulla et al.	1016
Translation of German Patent App. No. DE 195-46-692 A1 to Figulla et al. (with a certification from Abraham I. Holczer attesting to the accuracy of the translation)	1017
Sections 31 and 32 of the German Patent Act in effect as of June 19, 1997 through November 14, 2000	1018
Translation of Sections 31 and 32 of the German Patent Act in effect as of June 19, 1997 through November 14, 2000 (with a certification from Abraham I. Holczer attesting to the accuracy of the translation)	1019
Declaration of Thomas Vassiliades, Jr., M.D. with attached Exhibit 1: Curriculum Vitae of Thomas Vassiliades, Jr., M.D.	1020



DOCKET A L A R M

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.

