

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NEOCHORD, INC.  
Petitioner

v.

UNIVERSITY OF MARYLAND, BALTIMORE

Patent Owner

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Case No. IPR2016-00208  
Patent No. 7,635,386

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**PATENT OWNER'S RESPONSE  
UNDER 37 C.F.R. § 42.120**

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## List of Exhibits

Ex. No.	Description of Document
2001	Declaration of John Richard Garrett, M.D.
2002	<i>Curriculum Vitae</i> of John Richard Garrett, M.D.
2003	Excerpts from The American Heritage Stedman's Medical Dictionary (1995)
2004	Transcript of Deposition of Dr. Lishan Aklog, M.D. dated August 26, 2016 ("Aklog Trans.")
2005	WO 2006/078694 to Speziali
2006	U.S. Patent No. 8,075,510 to Aklog et al.
2007	Excerpts from Stedman's Medical Dictionary, Illustrated in Color (28th ed. 2006)
2008	Wikipedia, "Percutaneous" (retrieved Sept. 2016)
2009	"Seldinger Technique for Introducing Catheters" (retrieved Sept. 2016)
2010	T. Doby, "A Tribute to Sven-Ivar Seldinger," American Roentgen Ray Society, 142:1-3 (Jan. 1984)
2011	I. Mohiuddin, et al., "Chapter 1: General principles of endovascular therapy," <i>Endovascular Therapy</i> , Blackwell Publishing (2006)

## **I. INTRODUCTION**

Pursuant to 37 C.F.R. § 42.120, the patent owner, University of Maryland, Baltimore (“PO”), hereby submits this Patent Owner Response to the Petition for *Inter Partes* Review of U.S. Patent No. 7,635,386 (“the ‘386 Patent”) (“Petition”) filed by NeoChord, Inc. (“Petitioner”) on November 18, 2015. Claims 1-23 are currently pending and have been instituted under multiple grounds.

This filing is timely as it is being filed on September 12, 2016, pursuant to the Notice to Modify Due Dates 1 & 2 filed jointly by the parties (see Paper 9).

Petitioner did not submit statements of material facts in the Petition, thus no response is due pursuant to 37 C.F.R. § 42.23(a) and no facts are admitted.

It is Petitioner’s burden to show by a preponderance of evidence that the challenged claims are unpatentable. 35 U.S.C. § 316(e). As set forth herein, Petitioner fails to meet its burden of proof for at least claims 1-23. Accordingly, PO requests that the Board issue a Final Decision confirming the patentability of challenged claims 1-23 of the ‘386 Patent.

## **II. BACKGROUND AND SUMMARY OF ARGUMENTS**

### **A. Background on the Invention of the ‘386 Patent**

The ‘386 Patent claims priority to U.S. Patent Application No. 60/780,521, and is therefore entitled to a priority filing date of March 7, 2006.

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