

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EDWARDS LIFESCIENCES CORPORATION, EDWARDS LIFESCIENCES
LLC, AND EDWARDS LIFESCIENCES AG

Petitioners

v.

BOSTON SCIENTIFIC SCIMED, INC.
Patent Owner

Case IPR2017-0060
Patent 8,992,608

**DECLARATION OF NICHOLAS GROOMBRIDGE IN SUPPORT OF
PETITIONERS' MOTION FOR ADMISSION
PRO HAC VICE OF NICHOLAS GROOMBRIDGE
PURSUANT TO 37 C.F.R. § 42.10**

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I, Nicholas Groombridge, declare as follows:

1. I am an experienced litigation attorney with more than twenty-eight (28) years of experience.
2. I have been litigating patent cases for all of those years.
3. I am a member in good standing of the New York State Bar (admitted in 1989) and am admitted to practice in the United States District Courts for the Southern, Eastern and Western Districts of New York, the United States District Courts for the Western and Eastern Districts of Michigan, the United States District Court for the Eastern District of Texas, the United States District Court for the District of Colorado, the United States Court of Appeals for the Federal Circuit, and the United States Supreme Court.
4. I have never been suspended or disbarred from practice before any court or administrative body.
5. I have never had an application for admission to practice before any court or administrative body denied.
6. I have had no sanctions or contempt citations imposed against me by any court or administrative body.
7. I am familiar with the subject matter at issue in this proceeding, including *inter alia*, U.S. Patent No. 8,992,608 (the “‘608 patent”), its prior art, and the field of transcatheter aortic heart valves. I am lead counsel

for Petitioners in the related district court litigation *Boston Scientific Corp. et al. v. Edwards Lifesciences Corp.*, Case No. 1:16-cv-00275-SLR-SRF (D. Del.). That litigation also involves the '608 patent and overlaps with this proceeding on a number of significant issues, including the technology disclosed and claimed in the '608 patent, the interpretation of the '608 patent's claims, and the invalidity of the '608 patent.

8. I have been heavily involved in all substantive decisions, including forming Petitioners' claim construction, non-infringement, and invalidity positions.

9. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R.

10. I agree to be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§10.20 *et seq.*, and to disciplinary jurisdiction under 37 C.F.R. §11.19(a).

11. In the last three years, I have not applied to appear *pro hac vice* before the Office.

12. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the

knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: June 6, 2017

By: /s/ Nicholas Groombridge
Nicholas Groombridge

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on June 6, 2017, a complete and entire copy of **DECLARATION OF NICHOLAS GROOMBRIDGE IN SUPPORT OF PETITIONERS' MOTION FOR ADMISSION PRO HAC VICE OF NICHOLAS GROOMBRIDGE PURSUANT TO 37 C.F.R. § 42.10** has been served in its entirety by e-mail on the following addresses of record for Patent Owner:

jennifer.sklenar@apks.com

wallace.wu@apks.com

/s/ Gregory S Cordrey
Gregory S. Cordrey, Esq. (Reg. No. 44,089)
Attorney for Petitioners