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12  
13 **UNITED STATES DISTRICT COURT**  
14 **CENTRAL DISTRICT OF CALIFORNIA**  
15 **SOUTHERN DIVISION**

16 BOSTON SCIENTIFIC CORPORATION  
17 and  
18 BOSTON SCIENTIFIC SCIMED, INC.

19 Plaintiffs,

20 v.

21 EDWARDS LIFESCIENCES  
22 CORPORATION,

23 Defendant.

Case No. 8:16-cv-0730-CJC-GJS

**BOSTON SCIENTIFIC  
CORPORATION'S AND BOSTON  
SCIENTIFIC SCIMED, INC.'S  
SUPPLEMENTAL OBJECTIONS  
AND RESPONSES TO  
EDWARDS'S INTERROGATORY  
NOS. 1-16**

24 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiffs  
25 Boston Scientific Corporation and Boston Scientific Scimed, Inc. (collectively,  
26 "Boston Scientific") hereby serves these supplemental objections and response to  
27 Interrogatory Nos. 1-16 served by Edwards Lifesciences Corporation ("Edwards").  
28

**Edwards Lifesciences v. Boston Scientific**  
**U.S. Patent No. 6,915,560**

PLA

NOS. 1-16



1 **GENERAL OBJECTIONS**

2 The General Objections set forth in Boston Scientific's Second Supplemental  
3 Objections and Responses to the Interrogatories Nos. 13 and 14, served on July 19,  
4 2017, are incorporated into the supplemental response provided below as if fully set  
5 forth therein.

6 **SPECIFIC RESPONSES AND OBJECTIONS**

7 **INTERROGATORY NO. 1:** For each Accused Product, describe in detail, on a  
8 limitation-by-limitation basis (*e.g.*, in the form of a claim chart), all factual and legal  
9 bases for Your contention that the Patents-In-Suit are infringed either literally or  
10 under the doctrine of equivalents.

11 **RESPONSE TO INTERROGATORY NO. 1:**

12 Boston Scientific objects to this interrogatory to the extent it seeks information  
13 protected by the attorney-client privilege, work product doctrine, and/or any other  
14 applicable privilege or immunity. Boston Scientific further objects to this  
15 interrogatory as containing multiple subparts. Boston Scientific further objects to this  
16 interrogatory as premature because (1) Edwards has not provided any information,  
17 documents, or physical samples relating to any of the accused products, (2) Edwards  
18 has not proposed any claim construction, (3) the Court has not construed any claim  
19 terms, and (4) expert discovery has not yet begun.

20 Subject to the foregoing general and specific objections, Boston Scientific  
21 responds as follows.

22 Boston Scientific contends that Edwards has directly infringed, and continues  
23 to directly infringe, at least the patent claims identified in Table I below in violation  
24 of 35 U.S.C. § 271(a), by making, using, offering to sell, and/or selling in the United  
25 States, and/or importing into the United States certain catheter products or crimpers,  
26 used in Sapien, Sapien XT, and Sapien 3 products, for example and without  
27 limitation, the products (and representative models and versions thereof) identified in  
28 Table II below.

**Table I Asserted Claims Of The Patents-In-Suit**

<b>Patents-In-Suit</b>	<b>Asserted Claims</b>
6,007,543 (the '543 patent) (Ex. A)	1-3, 6-12, 19-21, 24-29
6,203,558 (the '558 patent) (Ex. B)	1-2, 9, 14, 20-22
6,371,962 (the '962 patent) (Ex. C)	1-3, 6-13, 20-22, 25-30, 35-36
6,712,827 (the '827 patent) (Ex. D)	1-3, 5-20
6,915,560 (the '560 patent) (Ex. E)	1-2, 6, 8-11, 14-15, 17-19, 23, 25-28, 31, 33-35, 37, 40
7,749,234 (the '234 patent) (Ex. F)	1-3, 5-8, 13, 15, 18-20
7,828,767 (the '767 patent) (Ex. G)	5-6, 9-12
8,709,062 (the '062 patent) (Ex. H)	1-26

**Table II Accused Products, Their Exemplary Models/Version, And Asserted Claims**

<b>Accused Products</b>	<b>Exemplary Models/Versions</b>	<b>Asserted Claims</b>
Commander Delivery System	9600LDS20, 9600LDS23, 9600LDS26, 9600LDS29, 9610TF23, 9610TF26, 9610TF29	'543 patent: 1-2, 6-8, 11-12, 19-20, 24-25, 28-29  '558 patent: 1-2, 9, 14, 20-22  '962 patent: 1-2, 6-8, 11-13, 20-21, 25-26, 29-30, 35-36  '827 patent: 1-2, 5-14, 16-18, 20  '234 patent: 1-3, 5-8, 13, 15, 18-20  '767 patent: 5-6, 9-12  '062 patent: 1-26
Ascendra Delivery System (or Balloon Catheter)	Ascendra+: 9355AS23, 9355AS26, 9355AS29  Ascendra: 9120BCL23, 9120BCL26, 9100BCL23, 9100BCL26	'962 patent: 1-3, 8, 11-13, 20-22, 29-30, 35-36  '827 patent: 1-3, 13-14, 16-20  '767 patent: 5-6, 9-12  '062 patent: 1-12
Certitude Delivery	9620TA23, 9620TA26,	'543 patent: 1-3, 8-12, 19-21, 26-

1 2 3 4 5 6 7	System	9620TA29	29  '962 patent: 1-3, 8-13, 20-22, 27-30, 35-36  '827 patent: 1-3, 13-20  '767 patent: 5-6, 9-12  '062 patent: 1-12
8 9 10 11 12 13 14	NovaFlex Delivery System	NovaFlex+: 9355FS20, 9355FS23, 9355FS26, 9355FS29  NovaFlex: 9350FS23, 9350FS26	'543 patent: 1-3, 8, 11-12, 19-21, 28-29  '962 patent: 1-3, 8, 11-13, 20-22, 29-30, 35-36  '827 patent: 1-3, 13-14, 16-20  '767 patent: 5-6, 9-12  '062 patent: 1-12
15 16 17 18 19 20 21 22	RetroFlex Delivery System (or Balloon Catheter)	RetroFlex 3: 9120FS23, 9120FS26  RetroFlex II: 9100HDSL23, 9100HDSL26  RetroFlex: 9120BC20, 9120BC23	'543 patent: 1-3, 8, 11-12, 19-21, 28-29  '962 patent: 1-3, 8, 11-13, 20-22, 29-30, 35-36  '827 patent: 1-3, 13-14, 16-20  '767 patent: 5-6, 9-12  '062 patent: 1-12
23 24	Edwards Crimper	9100CR23, 9100CR26, 9340CR23, 9340CR26, 9350CR, 9600CR	'560 patent: 1-2, 6, 8-11, 14-15, 17-19, 23, 25-28, 31, 33-35, 37, 40

The claim charts attached herein as Exhibits A-H identify where each limitation of the asserted claims of the Patents-In-Suit is found within one or more accused products. Boston Scientific contends that each element of each asserted claim is literally present in the accused products unless otherwise indicated. But to

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