

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EDWARDS LIFESCIENCES CORP.,

Petitioner,

v.

BOSTON SCIENTIFIC SCIMED, INC.,

Patent Owner.

Case IPR2017-00444

Patent 6,915,560

Before the Honorable NEIL T. POWELL, JAMES A. TARTAL, and
STACY B. MARGOLIES, *Administrative Patent Judges.*

**PATENT OWNER BOSTON SCIENTIFIC SCIMED, INC.'S
SECOND SET OF OBJECTIONS TO
PETITIONER EDWARDS LIFESCIENCES CORP.'S EXHIBITS**

Pursuant to 37 C.F.R. § 42.64(b)(1), Boston Scientific Scimed, Inc. (“Patent Owner”) hereby submits the following objections to Petitioner Edwards Lifesciences Corp.’s (“Petitioner’s”) Exhibit 1127 (Supplemental Declaration Of Neil Sheehan), as well as any reference thereto and reliance thereon.

Exhibit 1127 (and Petitioner’s Reply) contains new arguments and evidence outside the proper scope of a reply. 37 C.F.R. § 42.23(b) (Reply is limited to arguments raised in Patent Owner’s Response). For example, Mr. Sheehan includes (1) new alleged experience in stent crimping (*e.g.*, ¶¶ 8, 9), (2) new arguments regarding a “linear member” (*e.g.*, ¶¶ 19, 57, 69-70), (3) new arguments regarding the operation of Figure 8 of Yasumi (*e.g.*, ¶¶ 23, 57, 69-70), (4) new arguments regarding the alleged disclosure of the “operatively engaged” claim element (*e.g.*, ¶ 31 (“via a larger outer flange 70...and a smaller inner portion...” and “by resting against the outside of the side plate 27-1”), (5) new claim construction arguments and analyses relating thereto (*e.g.*, ¶¶ 32-36 (“operatively engaged”), ¶ 45 (“distinct connection locations”), ¶¶ 85-91 (“stationary end-walls,” “stationary plates,” “flat portion,” “substantially regular polygonal shape,” “substantially regular polygonal,” and “rotatable actuation device”)), (6) new evidence and arguments relating to the citation of Yasumi in Information Disclosure Statements (*e.g.*, ¶ 76), and (7) new arguments regarding the use of pliers or plier like devices in stent crimping (*e.g.*, ¶¶ 79-81).

Dated: December 22, 2017

Respectfully submitted,

/s/ Wallace Wu

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing PATENT OWNER BOSTON SCIENTIFIC SCIMED, INC.'S SECOND SET OF OBJECTIONS TO PETITIONER EDWARDS LIFESCIENCES CORP.'S EXHIBITS was served on December 22, 2017 to the following Counsel for Petitioner via e-mail:

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