

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTUITIVE SURGICAL, INC.,
Petitioner,

v.

ETHICON LLC,
Patent Owner.

IPR2018-00934 – U.S. Patent No. 8,998,058
IPR2018-00935 – U.S. Patent No. 8,991,677

DECLARATION OF DR. WILLIAM CIMINO

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2.	“[disposable] loading unit comprising: ... a motor ... wherein said motor is configured to receive power from a power source such that said motor can only selectively receive power from said power source when said means for removably attaching said housing to the surgical instrument is operably coupled to the surgical instrument.” (Claims 1, 16).....	34
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1.	“stapling system comprising ... an electric motor ... configured to receive power from a power source such	

	that said electrical motor can only selectively receive power from said power source when said housing connector is attached to the surgical instrument system” (Claim 6) / “disposable loading unit comprising: ... a motor ... configured to receive power from a power source such that said motor can only selectively receive power from said power source when said means for removably attaching said housing to the surgical instrument is operably coupled to the surgical instrument” (Claim 1)	42
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XII. JURAT85

I, Dr. William Cimino, hereby declare as follows:

1. I have personal knowledge of the facts stated in this declaration and, if called upon to do so, could and would attest to these facts under oath.

2. I make this declaration at the request of Ethicon LLC (“Patent Owner”), in connection with the petitions for inter partes review submitted by Intuitive Surgical, Inc. (“Petitioner”) for U.S. Patent Nos. 8,998,058 (“the 058 Patent”) and 8,991,677 (“the 677 Patent”), which I will refer to collectively as the “Power Patents.” All statements made herein of my own knowledge are true, and all statements made herein based on information and belief are believed to be true. Although I am being compensated for my time in preparing this declaration, the opinions articulated herein are my own, and I have no stake in the outcome of this proceeding or any related litigation or administrative proceedings.

I. INTRODUCTION

3. In the preparation of this declaration, I have reviewed the relevant portions of the following documents:

Ex. 1001 (058 Patent) ¹	U.S. Patent No. 8,998,058 to Moore, et al. (“the 058 Patent”)
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¹ I understand that the 058 Patent and the 677 Patent share a common specification and figures and that both have been provided as Exhibit 1001 in IPR2018-00934

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