

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Shelton, IV
U.S. Pat. No.: 8,479,969 Attorney Docket No.: 11030-0049IP9
Issue Date: July 9, 2013
Appl. Serial No.: 13/369,609
Filing Date: Feb. 9, 2012
Title: DRIVE INTERFACE FOR OPERABLY COUPLING A
MANIPULATABLE SURGICAL TOOL TO A ROBOT

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PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,479,969
PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42

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EXHIBITS

IS1001	U.S. Pat. No. 8,479,969 to Shelton, IV (“the ’969 Patent”)
IS1002	Prosecution History of the ’969 Patent (Serial No. 13/369,609)
IS1003	Declaration of Dr. Bryan Knodel (Prisco as Primary Reference)
IS1004	Reserved
IS1005	Reserved
IS1006	U.S. Patent No. 8,545,515 to Prisco et al. (“Prisco”)
IS1007	U.S. Patent No. 6,817,974 to Cooper et al. (“Cooper”)
IS1008	U.S. Patent No. 6,699,235 to Wallace et al. (“Wallace”)
IS1009	U.S. Patent No. 6,331,181 to Tierney et al. (“Tierney”)
IS1010	Reserved
IS1011	Reserved
IS1012	Reserved
IS1013	Reserved
IS1014	U.S. Patent App. No. 2008/0167672 to Giordano et al. (“Giordano”)

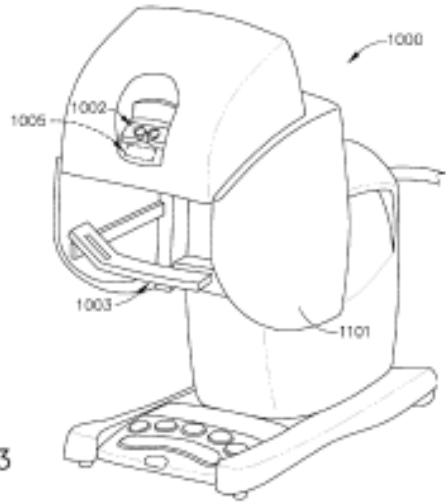
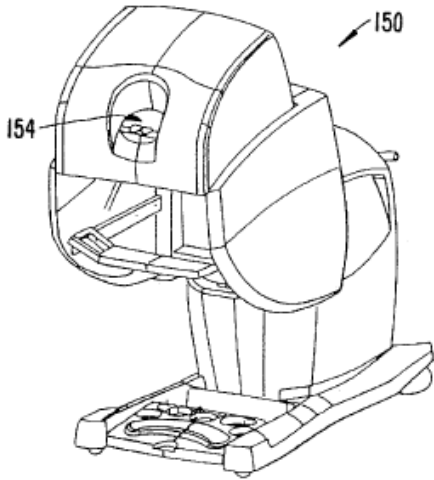
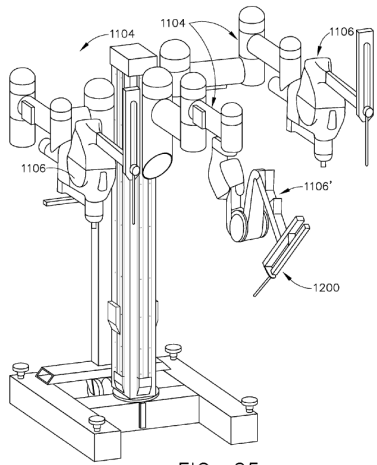
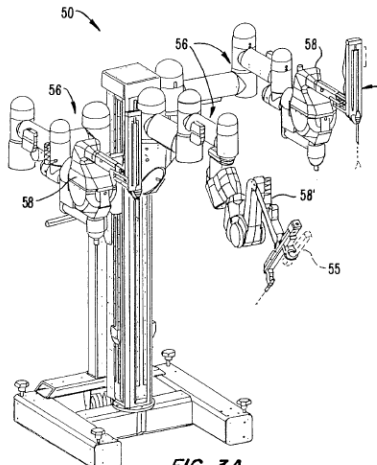
I. INTRODUCTION

Intuitive Surgical, Inc. (“Petitioner”) petitions for *Inter Partes* Review (“IPR”) of claims 23-26 of U.S. Patent 8,479,969 (“the ’969 Patent”). The ’969 Patent is entitled “Drive Interface for Operably Coupling a Manipulatable Surgical Tool to a Robot.” Drive interfaces for surgical robots were well-known in the prior art. In fact, the ’969 Patent incorporates by reference, and largely copies, the prior art drive interfaces designed by Petitioner and disclosed in its prior art patents:

[T]he tool arrangement described above may be well-suited for use with those *robotic systems manufactured by Intuitive Surgical, Inc.* of Sunnyvale, Calif., U.S.A., many of which may be described in detail in various patents incorporated herein by reference. The unique and novel aspects of various embodiments of the present invention serve to *utilize the rotary output motions supplied by the robotic system* to generate specific control motions....

IS1001 at 31:52-59.¹ Not surprisingly, the robotic surgical system described in the ’969 Patent is uncannily similar to the prior art robotic surgical system described in Petitioner’s patents, including, for example, Petitioner’s prior art “Tierney” patent (U.S. Patent No. 6,331,181). IS1002 at 280-284; IS1009 (“Tierney”):

¹ Emphasis added in quotations throughout.

<u>'969 Patent</u>	<u>Tierney Prior Art</u>
<u>Robotic Controller</u>	
 <p data-bbox="219 835 332 865">FIG. 23</p>	 <p data-bbox="998 898 1128 928">FIG. 8B.</p>
<u>Robotic Manipulator</u>	
 <p data-bbox="479 1537 568 1566">FIG. 25</p>	 <p data-bbox="1088 1537 1177 1566">FIG. 3A.</p>

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