

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MEDTRONIC, INC., AND MEDTRONIC VASCULAR, INC.,

Petitioners,

v.

TELEFLEX INNOVATIONS S.À.R.L.,

Patent Owner.

Case No. IPR2020-00126

Patent 8,048,032

**PETITIONERS' OBJECTIONS UNDER 37 C.F.R. § 42.64 TO PATENT
OWNER'S POST-INSTITUTION EVIDENCE FILED JANUARY 26, 2021**

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioners Medtronic, Inc., and Medtronic Vascular, Inc., (“Medtronic”) submit the following objections to certain post-institution evidence filed by Patent Owner Teleflex Innovations S.À.R.L (“Teleflex”) in conjunction with its sur-reply addressing conception and reduction to practice, filed January 26, 2021.

Medtronic renews and incorporates its objections to Patent Owner’s pre-institution evidence and previously filed post-institution evidence.

I. Exhibit 2237: Deposition Transcript of Dr. Paul Zalesky dated January 13, 2021

Medtronic objects to Exhibit 2237 under FRE 401/402 (relevance) and FRE 403 (probative value outweighed by prejudice, confusing, waste of time).

Medtronic also objects under FRE 106/1002 (completeness, in particular, because Teleflex did not include the witness’s signed errata). Medtronic reasserts and reserves all of its objections under 37 C.F.R. § 42.64(a) made during the January 13, 2021 deposition of Dr. Paul Zalesky.

IPR2020-00126
Patent 8,048,032

Dated: January 29, 2021

Respectfully submitted,

/Cyrus A. Morton/

Cyrus A. Morton
Reg. No. 44,954
Robins Kaplan LLP
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402
Attorney for Petitioners

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), the undersigned certifies that on January 29, 2021, a copy of PETITIONERS' OBJECTIONS UNDER 37 C.F.R. § 42.64 TO PATENT OWNER'S POST-INSTITUTION EVIDENCE FILED JANUARY 26, 2021, was served by electronic mail on Patent Owner's counsel at the following addresses indicated in Patent Owner's Mandatory Notices:

J. Derek Vandenburg, Reg. No. 32,179
dvandenburg@carlsoncaspers.com

Dennis C. Bremer, Reg. No. 40,528
dbremer@carlsoncaspers.com

Joseph W. Winkels
jwinkels@carlsoncaspers.com

Peter M. Kohlhepp
pkohlhepp@carlsoncaspers.com

Tara C. Norgard (pro hac vice pending)
tnorgard@carlsoncaspers.com

Alexander S. Rinn (pro hac vice pending)
arinn@carlsoncaspers.com

Megan E. Christner, Reg. No. 78,979
mchristner@carlsoncaspers.com

Kenneth E. Levitt, Reg. No. 39,747
levitt.kenneth@dorsey.com

Dated: January 29, 2021

Respectfully submitted,

/Cyrus A. Morton/

Cyrus A. Morton

Reg. No. 44,954