UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD
MEDTRONIC, INC., AND MEDTRONIC VASCULAR, INC. Petitioners,
v.
TELEFLEX INNOVATIONS S.A.R.L. Patent Owner.
Case IPR2020-00126 Patent 8,048,032

SECOND DECLARATION OF PETER T. KEITH IN SUPPORT OF MOTIONS TO AMEND



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		3.	To the extent the claimed invention includes the optional side opening, the specification does not require that side opening to be in the substantially rigid portion or segment	to
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	A.	Itou.		.25
		1.	Itou does not teach a structure through which "interventional cardiology devices," "stents," or "stent catheters" are insertable (all substitute claims)	ole .25



2. Itou in view of Ressemann (substitute claims 23-25 of the patent, 43 and 44 of the '380 patent, 56-58 of the '760 patent, 58-65 of the '776 patent, and 46-48 and 50-51 of the '379 patent)				
	i.	Neither Itou nor Ressemann teach or suggest the recited complex side opening (substitute claims 23-25 of the '032 patent, 44 of the '380 patent, 56-58 of the '760 patent, 56-58 of the '760 patent, 58-62 and 64-65 of the '776 patent, and 46-48 and 50-51 of the '379 patent)27		
	ii.	A POSITA would not be motivation to replace Itou's proximal opening with Ressemann's support collar, and would not expect such a combination to be successful (substitute claim 23-25 of the '032 patent, 44 of the '380 patent, 56-58 of the '760 patent, 56-58 of the '760 patent, 58-62 and 64-65 of the '776 patent, and 46-48 and 50-51 of the '379 patent)		
3.	paten	n view of Kataishi (substitute claims 23-25 of the '032 t, 43 and 44 of the '380 patent, 58-65 of the '776 patent, 6-51 of the '379 patent)		
	i.	Kataishi does not disclose a complex side opening (substitute claim 23-25 of the '032 patent, 44 of the '380 patent, 56-58 of the '760 patent, 58-62 and 64-65 of the '776 patent, and 46-48 and 50-51 of the '379 patent)34		
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Obvio Paten	ous the	View of Ressemann and Takahashi Does Not Render e Substitute Claims (Substitute Claims 23-25 of the '032 and 44 of the '380 Patent, 54-58 of the '760 Patent, 58-65 Patent, and 46-51 of the '379 Patent)42		



B.

1.	cardio	os does not teach a structure through which "interventional ology devices," "stents," or "stent catheters" are insertable abstitute claims)			
2.	The evidence does not show that a POSITA would be motivated to replace Kontos's proximal opening with Ressemann's support collar (substitute claims 23-25 of the '03 patent, 44 of the '380 patent, 56-58 of the '760 patent, 58-62 and 64-65 of the '776 patent, and 46-48 and 50-51 of the '379 patent)				
	i.	A POSITA would not be motivated to remove Kontos's proximal funnel and replace it with Ressemann's support collar (substitute claims 23-25 of the '032 patent, 43 and 44 of the '380 patent)			
	ii.	There is no motivation for a POSITA to make the extensive modifications advanced in the new Kontos-Ressemann device (substitute claims 23-25 of the '032 patent, 43 and 44 of the '380 patent)			
	iii.	A POSITA would not expect the new Kontos-Ressemann combination to be successful (substitute claims 23-25 of the '032 patent, 43 and 44 of the '380 patent)54			
3.	Resse claim 54-58	e is no motivation to modify the teachings of Kontos and emann to arrive at the claimed size limitations (substitute as 23, 25 of the '032 patent, 43 and 44 of the '380 patent, 8 of the '760 patent, 63-65 of the '776 patent, and 46-51 of 679 patent)			
4.	"reint	new Kontos-Ressemann device cannot satisfy the forced portion" limitation (substitute claims 25 of the '032 t, 57 of the '760 patent, 63 of the '776 patent, and 46-48 e '379 patent)			

C. Kontos in View of Ressemann, Takahashi, Kataishi, and/or the Knowledge of a POSITA Does Not Render Obvious the Substitute Claims (Substitute Claims 23-25 of the '032 Patent, 44 of the '380



Patent, 56-58 of the '760 Pater	nt, and 46-48 and 50-51 of the '379	
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