

Parrott, Jill M.

From: Pinahs, Christopher A.
Sent: Tuesday, July 7, 2020 9:52 PM
To: Manske, William E.; Tremblay, Emily J.; Miller, Austin B.; Gilliss, Shelley R.; Parrott, Jill M.; Tacheny, Michele M.
Cc: Morton, Cyrus A.; Roberg-Perez, Sharon E.
Subject: FW: Medtronic v. Teleflex IPRs - Supplemental Evidence
Attachments: Sutton Declaration.PDF; Peterson Declaration.pdf; Rao_EuroIntervention_2010.pdf; Dickson Declaration.pdf

Jill:

Please save.

Thanks!

From: Peter M Kohlhepp <PKohlhepp@carlsoncaspers.com>
Sent: Tuesday, July 7, 2020 6:16 PM
To: Morton, Cyrus A. <CMorton@RobinsKaplan.com>; Pinahs, Christopher A. <CPinahs@RobinsKaplan.com>
Cc: Roberg-Perez, Sharon E. <SRoberg-Perez@RobinsKaplan.com>; Derek Vandenburg <DVandenburg@carlsoncaspers.com>; Dennis C Bremer <DBremer@carlsoncaspers.com>; Joe W Winkels <JWinkels@carlsoncaspers.com>; Shelleaha L Jonas <SJonas@carlsoncaspers.com>
Subject: [EXTERNAL] FW: Medtronic v. Teleflex IPRs - Supplemental Evidence

Counsel,

On June 22, 2020, Petitioner served objections to Patent Owner's evidence filed in connection with its preliminary responses in IPR2020-00126, -00128, -00129, -00132, -00135, and -00137. Petitioner made generic, boilerplate objections to numerous groups of exhibits on the basis of, among other things, FRE 106, 401, 402, 403, 602, 701, 702, 703, 802, 901, and/or 1002, making it impossible to know what the particular grounds are for Petitioner's objections on any given exhibit. Patent Owner thus objects and notes that Petitioner did not meet the threshold of detail required by 37 C.F.R. § 42.64(b), which requires "particularity." Because Petitioner did not meet the required "particularity" threshold, Patent Owner does not have sufficient information necessary to respond to Petitioner's objections.

Patent Owner also notes that Petitioner's objections appear to be premature. The Patent Owner has not yet provided Patent Owner Responses or the separate conception/reduction to practice briefing indicating which, if any, of the evidence provided with the preliminary responses that Patent Owner will rely on during the instituted trial.

Notwithstanding the above, and without waiving the opportunity to submit supplemental evidence as provided for in the rules following the filing of the Patent Owner Responses and conception/reduction to practice briefing, in an effort to resolve and streamline these issues, Patent Owner serves the attached documents as supplemental evidence pursuant to 37 C.F.R. § 42.64(b). Regarding Exhibits 2002 and 2014, Patent Owner will make the underlying items, namely the Gregg Sutton laboratory notebook and the cut-down hypotube, available for inspection during the appropriate Petitioner discovery period.

Best regards,

Peter Kohlhepp

CARLSON

CASPERS

Intellectual Property Law

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