

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.: IPR2020-00127
U.S. Patent No. 8,048,032

PETITIONERS' REPLY

TABLE OF CONTENTS

	Page
TABLE OF CONTENTS.....	ii
TABLE OF AUTHORITIES	iv
I. Introduction.....	1
II. The board can adopt its preliminary construction of “Interventional Cardiology Device(s).”	1
III. Kontos’s Extension Catheter is not a Narrow Tube.....	2
IV. The Asserted Claims are Obvious.	4
A. Claims 1 & 11: Kontos’s support catheter 10 has a “cross-sectional inner diameter through which interventional cardiology devices are insertable.”.....	4
B. Claims 2 & 12: Kontos provides backup support to assist in resisting axial and shear forces exerted by the IVCD.....	5
C. Claims 3, 4, 9, 13, and 18: Kontos-Adams combination teaches the recited proximal openings.	10
1. Replacing Kontos’s funnel with a side opening maximizes the usable area in the catheter assembly.	11
2. Petitioner’s other motivations are not based in hindsight.....	15
3. After replacing the funnel with a side opening, support catheter 10 would remain coaxial with the GC.	18
D. Claim 6: Kontos-Adams combination teaches a flexible cylindrical reinforced portion.	19
E. Claims 8 & 17: Kontos-Adams-Takahashi combination teaches the not-more-than-one-French limitation.	21
F. Claim 20: Kontos-Adams-Berg combination teaches the recited PSIs.	22
V. PO Asserts Secondary Considerations Based Upon Something it Did Not Invent—a Rapid-Exchange Version of a Guide Extension Catheter.	22
A. Mother-in-Child and Rx devices were well known, and so was the combination.	24
B. Side openings existed on prior art devices.....	24

C. PO's secondary consideration evidence all relates to prior art features and functionality.....26

VI. CONCLUSION.....29

TABLE OF AUTHORITIES

	Page(s)
Cases	
<i>Amazon.com, Inc. v. Barnesandnoble.com, Inc.</i> , 239 F.3d 1343 (Fed. Cir. 2001)	26, 27
<i>Howmedica Osteonics Corp. v. Zimmer, Inc.</i> , 640 F. App'x 951 (Fed. Cir. 2016)	6
<i>In re Bigio</i> , 381 F.3d 1320 (Fed. Cir. 2004)	22
<i>In re Kao</i> , 639 F.3d 1057 (Fed. Cir. 2011)	23, 26
<i>Johns Hopkins Univ. v. Datascope Corp.</i> , 543 F.3d 1342 (Fed. Cir. 2008)	28
<i>Mytee Prods., Inc. v. Harris Research, Inc.</i> , 439 F. App'x 882 (Fed Cir. 2011)	5, 6
<i>Ormco Corp. v. Align Tech., Inc.</i> , 463 F.3d 1299 (Fed. Cir. 2006)	26
<i>Sakraida v. Ag Pro, Inc.</i> , 425 U.S. 273 (1976).....	23
<i>ZUP, LLC v. Nash Mfg., Inc.</i> , 896 F.3d 1365 (Fed. Cir. 2018)	23

I. INTRODUCTION

Patent Owner (“PO”) does not dispute, because it cannot, that Kontos describes its “support catheter” as a “mini guide catheter.” Ex-1409, 3:40-49. Nor does PO dispute that Kontos teaches, just like the coaxial guide catheter 12 of the Teleflex patent, that support catheter 10 includes a short distal lumen (body 12) coupled to a pushrod (wire 14). Other than the claimed side opening, Kontos teaches each structural limitation of the Challenged Claims. But as explained herein, the use of a side opening was an obvious modification. The Challenged Claims are invalid as obvious.

II. THE BOARD CAN ADOPT ITS PRELIMINARY CONSTRUCTION OF “INTERVENTIONAL CARDIOLOGY DEVICE(S).”

The parties agree that “interventional cardiology device(s)” means “devices including, but not limited to, guidewires, balloon catheters, stents, and stent catheters.” Paper 1 (“Pet.”), 13. Medtronic maintains that “interventional cardiology device(s)” requires that the lumen of the tubular structure is sized to receive only one such device.¹ In its Institution Decision, the Board found that “‘interventional cardiology devices’ refers to at least two types of the devices selected from the group that includes, but is not limited to, guidewires, balloon catheters, stents, and stent catheters.” Paper 20 (“I.D.”), 19. But because resolution

¹ Petitioner reiterates its position to preserve for appeal. Pet., 13, 27-29.

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