

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.

IPR2020-00126

IPR2020-00128

IPR2020-00129

IPR2020-00132

IPR2020-00134

IPR2020-00135

IPR2020-00137

PATENT OWNER'S OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner hereby submits its notice of objections to certain evidence that Petitioner submitted in connection with Petitioner's Reply to Patent Owner's Response Addressing Conception and Reduction to Practice.

Exhibit Number	Objections
1755	<p>Patent Owner objects to Exhibit 1755 to the extent Dr. Zalesky has not disclosed materials considered other than those referenced in his declaration. <i>See</i> 37 C.F.R. §§ 42.65(a) and (b).</p> <p><u>FRE 702, 703, 37 C.F.R. §§ 42.65:</u></p> <p>§§ VIII-XIV and ¶¶ 17-18, 30, 37, 70, 77, 89, 90-91, 148, 153, 161, 164-165, and 227 are not based on sufficient facts and data and do not reliably apply facts and data using scientific principles.</p> <p><u>FRE 401, 402, 403:</u></p> <p>§§ VIII and IX and ¶¶ 90-91, 94, 99, 104, 110-116, 120-134, 143-145, 150, 158-160, 165-167, 170-176, 179, 191, 193-194, 196-198, 201-230, 234, 241, 244, 249, and 251-253 are not relevant; to the extent they are relevant, their probative value is outweighed by the danger of causing unfair prejudice and confusing the issues.</p> <p><u>FRE 702, 703, 704:</u></p> <p>¶¶ 17-18, 77, and 89 state improper legal conclusions.</p> <p><u>FRE 602:</u></p> <p>¶¶ 37, 70-73, 116, 121, 123, 125-130, 132-134, 148, 182, 198, 201, 203, 223, 251, and 253 are not based on personal knowledge.</p>

	Patent Owner additionally objects to Exhibit 1755 under FRE 802 (hearsay) to the extent that Patent Owner does not have the opportunity to cross-examine Dr. Zalesky regarding his declaration.
1108/1308/1708	FRE 401, 402, 403: Portions of this exhibit are not relevant. To the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. Patent Owner reasserts and reserves all of its objections under 37 C.F.R. § 42.64(a) made during the June 20, 2018 deposition of Greg Sutton.
1109/1309/1709	FRE 401, 402, 403: Portions of this exhibit are not relevant. To the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403.
1114/1314/1514/1714	FRE 401, 402, 403: Portions of this exhibit are not relevant. To the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. Patent Owner reasserts and reserves all of its objections under 37 C.F.R. § 42.64(a) made during the June 27, 2013 deposition of Howard Root.
1756	FRE 401, 402, 403: Portions of this exhibit are not relevant. To the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. Patent Owner reasserts and reserves all of

	its objections under 37 C.F.R. § 42.64(a) made during the October 28, 2020 deposition of Steven Erb.
1757	FRE 401, 402, 403: Portions of this exhibit are not relevant. To the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. Patent Owner reasserts and reserves all of its objections under 37 C.F.R. § 42.64(a) made during the November 6, 2020 deposition of Gregg Sutton.
1758	FRE 401, 402, 403: This exhibit is not relevant. To the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. FRE 901, 902: This document has not been authenticated.
1759	FRE 401, 402, 403: This exhibit is not relevant. To the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. FRE 901, 902: This document has not been authenticated.
1760	FRE 401, 402, 403: This exhibit is not relevant. To the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. FRE 901, 902: This document has not been authenticated.
1761	FRE 401, 402, 403: This exhibit is not relevant. To the extent this document is relevant, its probative value is

	<p>outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403.</p> <p>FRE 901, 902: This document has not been authenticated.</p>
1762	<p>FRE 401, 402, 403: Portions of this exhibit are not relevant. To the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. Patent Owner reasserts and reserves all of its objections under 37 C.F.R. § 42.64(a) made during the November 13, 2020 deposition of Howard Root.</p>
1763	<p>FRE 401, 402, 403: This exhibit is not relevant. To the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403.</p> <p>FRE 901, 902: This document has not been authenticated.</p>
1764	<p>FRE 401, 402, 403: Portions of this exhibit are not relevant. To the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. Patent Owner reasserts and reserves all of its objections under 37 C.F.R. § 42.64(a) made during the December 1, 2020 deposition of Peter Keith.</p>
1765	<p>FRE 401, 402, 403: This exhibit is not relevant. To the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time,</p>

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