

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MEDTRONIC, INC. and MEDTRONIC VASCULAR, INC.,
Petitioner,

v.

TELEFLEX INNOVATIONS S.À.R.L.,
Patent Owner.

IPR2020-00126 (Patent 8,048,032 B2)
IPR2020-00127 (Patent 8,048,032 B2)
IPR2020-00128 (Patent RE45,380 E)
IPR2020-00129 (Patent RE45,380 E)
IPR2020-00130 (Patent RE45,380 E)
IPR2020-00131 (Patent RE45,380 E)
IPR2020-00132 (Patent RE45,760 E)
IPR2020-00134 (Patent RE45,760 E)
IPR2020-00135 (Patent RE45,776 E)
IPR2020-00136 (Patent RE45,776 E)
IPR2020-00137 (Patent RE47,379 E)
IPR2020-00138 (Patent RE47,379 E)

Before SHERIDAN K. SNEDDEN, JON B. TORNQUIST, and
CHRISTOPHER G. PAULRAJ, *Administrative Patent Judges*.

PAULRAJ, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding

IPR2020-00126; IPR2020-00127; IPR2020-00128; IPR2020-00129;
IPR2020-00130; IPR2020-00131; IPR2020-00132; IPR2020-00134;
IPR2020-00135; IPR2020-00136; IPR2020-00137; IPR2020-00138

On July 30, 2020, we held a conference call in the above-captioned proceedings with counsel for Petitioner, counsel for Patent Owner, and the judges of this panel participating. The purpose of the call was to discuss 1) Petitioner’s request to modify the word count and briefing schedule concerning Patent Owner’s assertion of an earlier conception and reduction to practice date; 2) Patent Owner’s request to file a Response to Petitioner’s Rehearing Request in IPR2020-00131 (“the -00131 IPR”); and 3) Board authorization for the parties’ stipulated modification to certain dates in the scheduling order. This Order memorializes that call and our decisions with respect to the parties’ requests.

Based on the parties’ positions articulated during the call, we determined not to modify the word count and briefing schedule for the conception and reduction to practice briefing at this point. Petitioner may renew its request once it has an opportunity to assess Patent Owner’s Response on conception and reduction to practice filed on DUE DATE 1.

We also determined to grant Patent Owner’s request to file a response to Petitioner’s Request for Rehearing filed in the -00131 IPR, where we denied institution. Pursuant to our authorization, Patent Owner filed its Response on August 6, 2020 (Paper 22).

Finally, during the call, we took into account the parties’ proposal to move certain dates to accommodate the schedule of Patent Owner’s expert. In particular, the parties proposed to move certain dates set forth in our Consolidated Scheduling Order (Paper 26) as follows:

	Current Date	Proposed Date
DUE DATE 1	Sept. 17, 2020	Sept. 24, 2020
DUE DATE 2	Dec. 10, 2020	Dec. 17, 2020
DUE DATE 3	Jan. 21, 2021	Jan. 26, 2021

IPR2020-00126; IPR2020-00127; IPR2020-00128; IPR2020-00129;
IPR2020-00130; IPR2020-00131; IPR2020-00132; IPR2020-00134;
IPR2020-00135; IPR2020-00136; IPR2020-00137; IPR2020-00138

DUE DATE 4	Jan. 28, 2021	No change
DUE DATE 5	Feb. 18, 2021	Feb. 23, 2021
DUE DATE 6	Feb. 25, 2021	Mar. 1, 2021
DUE DATE 7	March 4, 2021	No change
DUE DATE 8	MaR. 8, 2021	No change

Upon consideration, we have determined to authorize the stipulated modifications to the Consolidated Scheduling Order. We caution the parties, however, that no further modifications to DUE DATE 2 will be feasible as the Board will need sufficient time to consider any briefing on a Motion to Amend and issue Preliminary Guidance under the Board's Pilot Program should one be requested in any of these proceedings.

Accordingly, in consideration of the foregoing, it is hereby:

ORDERED Petitioner's request to modify the word count and briefing schedule for the conception and reduction to practice briefing is denied without prejudice;

FURTHER ORDERED that Patent Owner's request to file a response to Petitioner's Request for Rehearing filed in the IPR2020-00131 is granted; and

FURTHER ORDERED that the parties request to move certain dates in the Consolidated Scheduling Order, as set forth above, is granted.

IPR2020-00126; IPR2020-00127; IPR2020-00128; IPR2020-00129;
IPR2020-00130; IPR2020-00131; IPR2020-00132; IPR2020-00134;
IPR2020-00135; IPR2020-00136; IPR2020-00137; IPR2020-00138

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