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.

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

PETITIONERS' OBJECTIONS TO PATENT OWNER'S DEMONSTRATIVES

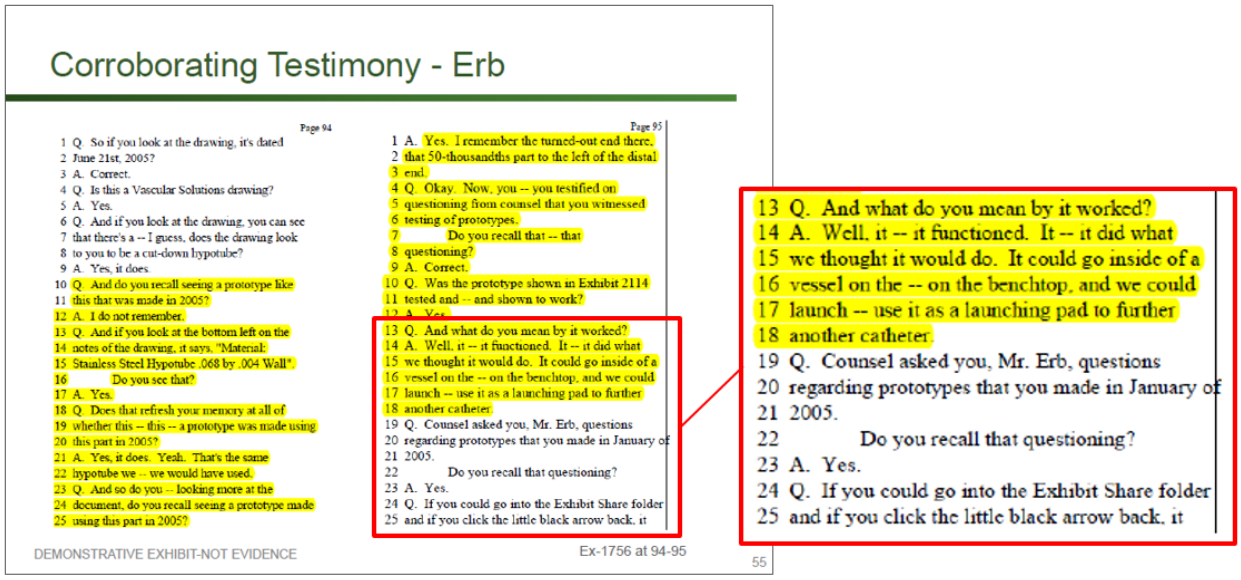
Pursuant to the Board's February 16, 2021 Order Setting Oral Argument (Paper 110[1]), Petitioners Medtronic, Inc., and Medtronic Vascular, Inc., file the following objections to Patent Owners' demonstratives.

I. Slide 55

Petitioners object to Patent Owner's demonstrative slide 55 as improper new evidence and new argument because Patent Owner does not cite or argue those pages of the excerpted deposition transcript (Ex-1756 at 94-95) in its conception and reduction to practice briefing, and no paper—Patent Owner's or Petitioners'—in these proceedings cites the portion of the excerpt highlighted in red, below.

[1] IPR2020-00126, -00128: Paper 110. IPR2020-00127: Paper 93. IPR2020-00129, -00132: Paper 108. IPR2020-00130: Paper 91. IPR2020-00134: Paper 105. IPR2020-00135: Paper 109. IPR2020-00136, -00138: Paper 92. IPR2020-00137: Paper 111.

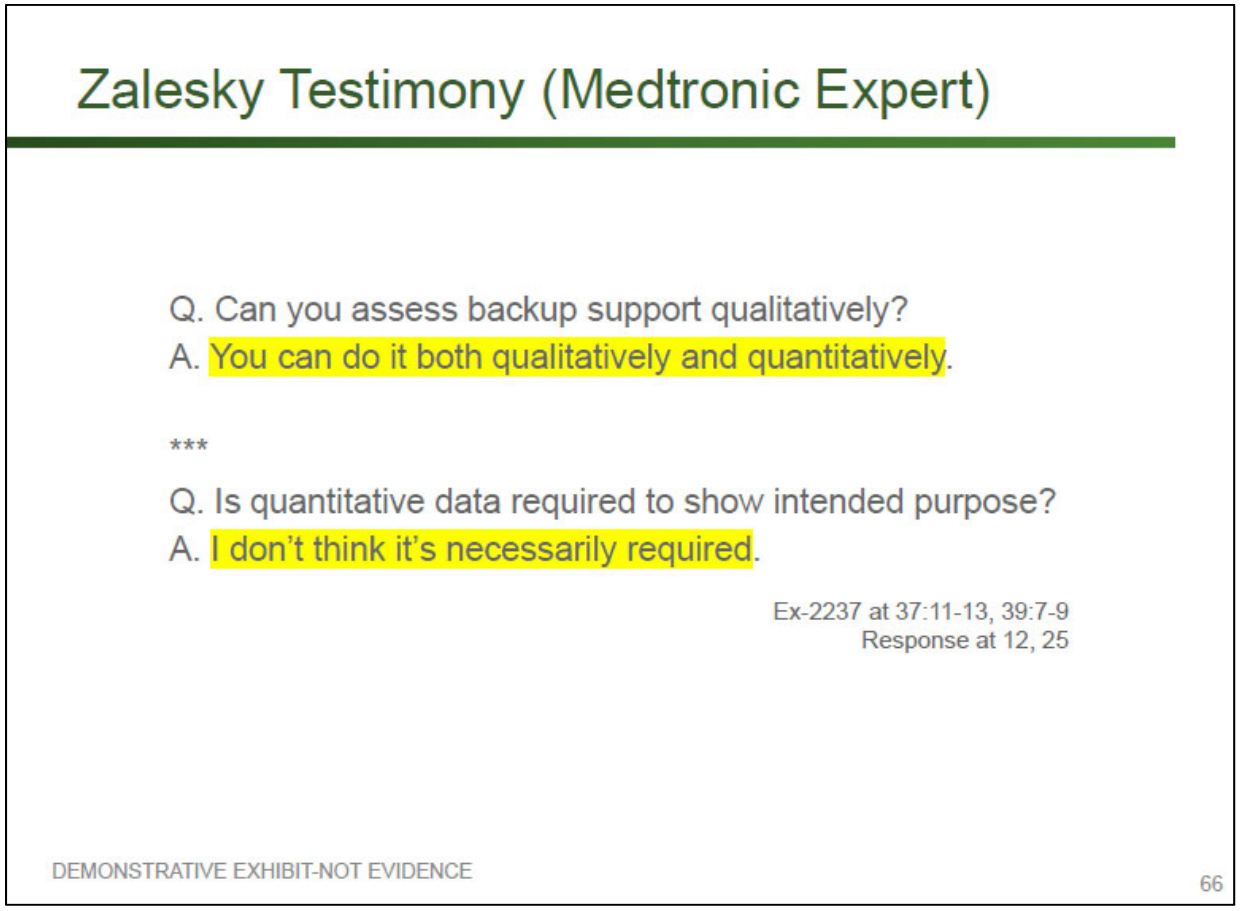
Slide 55:



II. Slide 66

Petitioners object to Patent Owner's demonstrative slide 66 as improper new evidence and new argument because no paper—Patent Owner's or Petitioners'—cites those deposition excerpts (Ex-2237 at 37:11-13, 39:7-9).

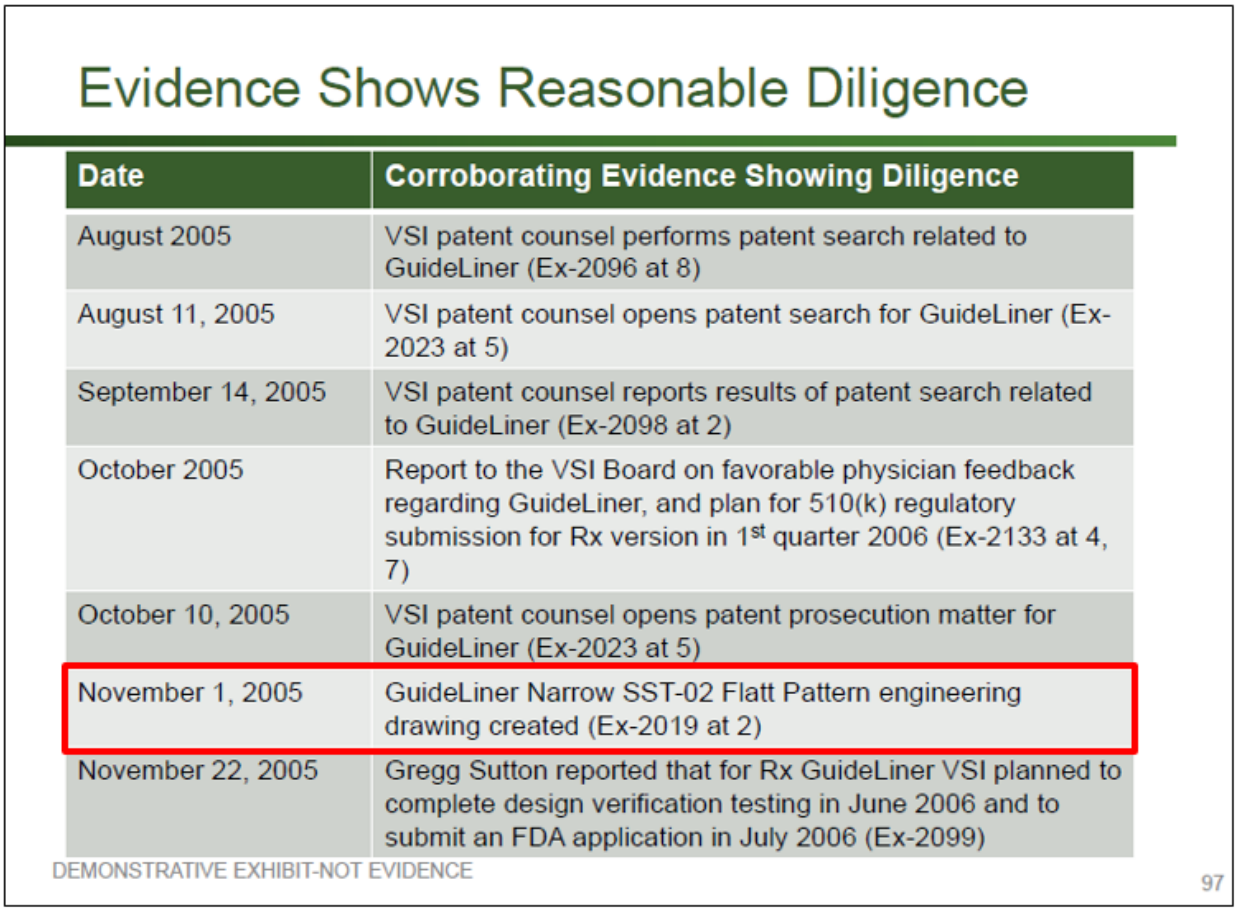
Slide 66:



III. Slide 97

Petitioners object to Patent Owner's demonstrative slide 97 as improper new argument because Patent Owner does not argue that Exhibit 2019 shows that "GuideLiner Narrow SST-02 Flatt Pattern engineering drawing" was created November 1, 2005, as part of its diligence case in its conception and reduction to practice briefing.

Slide 97 (red box added identifying new argument):



Evidence Shows Reasonable Diligence

Date	Corroborating Evidence Showing Diligence
August 2005	VSI patent counsel performs patent search related to GuideLiner (Ex-2096 at 8)
August 11, 2005	VSI patent counsel opens patent search for GuideLiner (Ex-2023 at 5)
September 14, 2005	VSI patent counsel reports results of patent search related to GuideLiner (Ex-2098 at 2)
October 2005	Report to the VSI Board on favorable physician feedback regarding GuideLiner, and plan for 510(k) regulatory submission for Rx version in 1st quarter 2006 (Ex-2133 at 4, 7)
October 10, 2005	VSI patent counsel opens patent prosecution matter for GuideLiner (Ex-2023 at 5)
November 1, 2005	GuideLiner Narrow SST-02 Flatt Pattern engineering drawing created (Ex-2019 at 2)
November 22, 2005	Gregg Sutton reported that for Rx GuideLiner VSI planned to complete design verification testing in June 2006 and to submit an FDA application in July 2006 (Ex-2099)

DEMONSTRATIVE EXHIBIT-NOT EVIDENCE

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IV. Slide 99

Petitioners object to Patent Owner's demonstrative slide 99 as improper new evidence and new argument because Patent Owner does not cite or argue Exhibit 2115 as part of its diligence case in its conception and reduction to practice briefing.

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