### CASE 0:19-cv-01760 Document 1-5 Filed 07/02/19 Page 1 of 7

March 22, 2019



Medtronic Inc. Elaine Gullane Principal Regulatory Affairs Specialist Parkmore Business Park West Galway, Ireland

Re: K183353

Trade/Device Name: Telescope<sup>TM</sup> Guide Extension Catheter

Regulation Number: 21 CFR 870.1250 Regulation Name: Percutaneous Catheter

Regulatory Class: Class II Product Code: DQY Dated: February 20, 2019 Received: February 22, 2019

#### Dear Elaine Gullane:

We have reviewed your Section 510(k) premarket notification of intent to market the device referenced above and have determined the device is substantially equivalent (for the indications for use stated in the enclosure) to legally marketed predicate devices marketed in interstate commerce prior to May 28, 1976, the enactment date of the Medical Device Amendments, or to devices that have been reclassified in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (Act) that do not require approval of a premarket approval application (PMA). You may, therefore, market the device, subject to the general controls provisions of the Act. Although this letter refers to your product as a device, please be aware that some cleared products may instead be combination products. The 510(k) Premarket Notification Database located at <a href="https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfpmn/pmn.cfm">https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfpmn/pmn.cfm</a> identifies combination product submissions. The general controls provisions of the Act include requirements for annual registration, listing of devices, good manufacturing practice, labeling, and prohibitions against misbranding and adulteration. Please note: CDRH does not evaluate information related to contract liability warranties. We remind you, however, that device labeling must be truthful and not misleading.

If your device is classified (see above) into either class II (Special Controls) or class III (PMA), it may be subject to additional controls. Existing major regulations affecting your device can be found in the Code of Federal Regulations, Title 21, Parts 800 to 898. In addition, FDA may publish further announcements concerning your device in the Federal Register.

Please be advised that FDA's issuance of a substantial equivalence determination does not mean that FDA has made a determination that your device complies with other requirements of the Act or any Federal statutes and regulations administered by other Federal agencies. You must comply with all the Act's

**EXHIBIT E** 



K183353 - Elaine Gullane Page 2

requirements, including, but not limited to: registration and listing (21 CFR Part 807); labeling (21 CFR Part 801); medical device reporting (reporting of medical device-related adverse events) (21 CFR 803) for devices or postmarketing safety reporting (21 CFR 4, Subpart B) for combination products (see <a href="https://www.fda.gov/CombinationProducts/GuidanceRegulatoryInformation/ucm597488.htm">https://www.fda.gov/CombinationProducts/GuidanceRegulatoryInformation/ucm597488.htm</a>); good manufacturing practice requirements as set forth in the quality systems (QS) regulation (21 CFR Part 820) for devices or current good manufacturing practices (21 CFR 4, Subpart A) for combination products; and, if applicable, the electronic product radiation control provisions (Sections 531-542 of the Act); 21 CFR 1000-1050.

Also, please note the regulation entitled, "Misbranding by reference to premarket notification" (21 CFR Part 807.97). For questions regarding the reporting of adverse events under the MDR regulation (21 CFR Part 803), please go to <a href="http://www.fda.gov/MedicalDevices/Safety/ReportaProblem/default.htm">http://www.fda.gov/MedicalDevices/Safety/ReportaProblem/default.htm</a>.

For comprehensive regulatory information about medical devices and radiation-emitting products, including information about labeling regulations, please see Device Advice (<a href="https://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/">https://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/</a>) and CDRH Learn (<a href="http://www.fda.gov/Training/CDRHLearn">http://www.fda.gov/Training/CDRHLearn</a>). Additionally, you may contact the Division of Industry and Consumer Education (DICE) to ask a question about a specific regulatory topic. See the DICE website (<a href="http://www.fda.gov/DICE">http://www.fda.gov/DICE</a>) for more information or contact DICE by email (<a href="mailto:DICE@fda.hhs.gov">DICE@fda.hhs.gov</a>) or phone (1-800-638-2041 or 301-796-7100).

Sincerely,

Lydia S. Digitally signed by Lydia S. Glaw -S

Date: 2019.03.22
12:09:56 -04'00'

for Bram D. Zuckerman, M.D. Director

Division of Cardiovascular Devices Office of Device Evaluation

Center for Devices and Radiological Health

Enclosure



### CASE 0:19-cv-01760 Document 1-5 Filed 07/02/19 Page 3 of 7

88

DEPARTMENT OF HEALTH AND HUMAN SERVICES Food and Drug Administration

Form Approved: OMB No. 0910-0120 Expiration Date: 06/30/2020

Indicat	ions for Use	See PRA Statement below.
510(k) Number (if known)		
K183353		
Device Name Telescope <sup>TM</sup> Guide Extension Catheter		
	r is intended to be used in conjunction wral vasculature, and to facilitate placement	
Type of Use (Select one or both, as applica	<u> </u>	
Prescription Use (Part 2	1 CFR 801 Subpart D)	e-Counter Use (21 CFR 801 Subpart C)
co	NTINUE ON A SEPARATE PAGE IF N	IEEDED.
This section appli	es only to requirements of the Paperwork	Reduction Act of 1995.
*DO NOT SEND YOUR	COMPLETED FORM TO THE PRA STAF	F EMAIL ADDRESS BELOW.*
time to review instructions, sea and review the collection of info	tion of information is estimated to average arch existing data sources, gather and mai ormation. Send comments regarding this l acluding suggestions for reducing this burd	intain the data needed and complete purden estimate or any other aspect
	Department of Health and Human Se Food and Drug Administration Office of Chief Information Officer Paperwork Reduction Act (PRA) Sta PRAStaff@fda.hhs.gov	
	duct or sponsor, and a person is not requination unless it displays a currently valid O	
FORM FDA 3881 (7/17)	Page of	PSC Publishing Services (301) 443-6740 E

**EXHIBIT E** 



# 510(k) Summary per 21 CRF 807.92

**Date Prepared:** 30<sup>th</sup> November 2018

**Applicant:** Medtronic Ireland

Parkmore Business Park West

Galway Ireland

Official Elaine Gullane

**Correspondent:** Principal Regulatory Affairs Specialist

Medtronic Ireland

Parkmore Business Park West

Galway Ireland

Phone: (353) 91 708682 Fax: (353) 91 708672

Email: elaine.gullane@medtronic.com

**Proprietary** 

Name:

Telescope<sup>TM</sup> Guide Extension Catheter

Common

Guide Catheter

Name:

**Device** Class II

**Classification:** 

Regulation

21 CFR 870.1250

**Number:** 

Classification

Percutaneous catheter

Name:

**Product Code:** DQY



# **Device Description:**

The Telescope guide extension catheter is a single-lumen rapid exchange catheter. The guide extension catheter is designed to act as an extension to a traditional guide catheter and to facilitate the delivery of interventional devices into the vasculature. The guide extension catheter is intended to be used within the coronary and/or peripheral vasculature to provide support.

The Telescope<sup>TM</sup> Guide Extension Catheter is offered in sizes compatible with 6F and 7F guide catheters as indicated by the product model numbers below.

Size	Product Model Number	
6F	TELE6F	
7F	TELE7F	

**Indications For** Use:

Telescope<sup>TM</sup> Guide Extension Catheter is intended to be used in conjunction with guide catheters to access discrete regions of the coronary and/or peripheral vasculature, and to facilitate placement of interventional devices.

Substantially Equivalent Device:

GuideLiner V3 Catheter (K172090, cleared October 20, 2017).

Summary of Technological Differences to the Predicate Device: The following outlines the differences and similarities between the subject device - Telescope<sup>TM</sup> Guide Extension Catheter and the predicate device - GuideLiner V3 Catheter:

- Similar Intended Use
- Similar Device Design Component/Construction
- Different device materials
- Similar Packaging
- Similar Sterilization Method

Medtronic's Telescope<sup>TM</sup> Guide Extension Catheter is substantially equivalent to the predicate device based on similarities in intended use and technological characteristics. The testing performed demonstrates that the technological differences in the new device do not raise new questions of safety and effectiveness.

# **Summary of Non-Clinical Data:**

The technological differences between the subject and predicate devices have been evaluated through biocompatibility and design verification tests to provide evidence of substantial equivalence for the Telescope<sup>TM</sup> Guide Extension Catheter. The Telescope<sup>TM</sup> Guide Extension Catheter is substantially equivalent to the specified predicate devices based on comparisons of the device functionality, technological characteristics, and indications for use. The device design has been verified through the following:

EXHIBIT E



# DOCKET

# Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

# **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

# **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

### API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

### **LAW FIRMS**

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

### **FINANCIAL INSTITUTIONS**

Litigation and bankruptcy checks for companies and debtors.

## **E-DISCOVERY AND LEGAL VENDORS**

Sync your system to PACER to automate legal marketing.

