

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.

---

Case IPR2020-00135  
Patent RE45,776

---

**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 IPR2020-00135.

Exhibit Number	Objections
1005	<p>Patent Owner objects to Exhibit 1005 to the extent Dr. Brecker 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><b><u>FRE 702, 703, 37 C.F.R. §§ 42.65:</u></b></p> <p>¶¶ 37, 48, 53-54, 94, 107, 110, 115-16, 119-21, 161, 166, 168, 171, 179, 191-93, 195-96, 198, 200-01, 203-06, 208, 216-17, 219-21, 223, 233, 235-37, 238, 240, 252, 254-56, 258-60, 262, 264, 273, 275-78, 284, 287, 289-92, 304, 306-08, 314, 317, 319-22 are not based on sufficient facts and data and do not reliably apply facts and data using scientific principles.</p> <p><b><u>FRE 401, 402, 403:</u></b></p> <p>¶¶ 110, 240, 259, 277 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 because they lack support for the contentions for which they are cited and improperly characterize the teachings of Ressemann.</p> <p>¶ 114 contains irrelevant statements; to the extent such statements are relevant, their probative value is outweighed by the danger of causing unfair prejudice and confusing the issues because they lack support for the contentions for which they are cited and improperly characterize the teachings of Ressemann and Kataishi.</p> <p>¶¶ 116-119, 203, 221 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 because they lack support for the</p>

	<p>contentions for which they are cited and improperly characterize the teachings of Kataishi.</p> <p>¶¶ 120, 306-07 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 because they lack support for the contentions for which they are cited and improperly characterize the teachings of Enger.</p> <p>¶¶ 147, 161, 168, 171 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 because they lack support for the contentions for which they are cited and improperly characterize the teachings of Itou.</p> <p>¶ 204 is not relevant; to the extent it is relevant, its probative value is outweighed by the danger of causing unfair prejudice and confusing the issues because it lacks support for the contentions for which it is cited and improperly characterizes the teachings of Abrahamson.</p> <p>¶¶ 115, 134, 165-66, 170, 185, 189-90, 200, 206, 219 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 because they lack support for the contentions for which they are cited and improperly characterize the teachings of the '776 patent.</p> <p><b><u>FRE 702, 703, 704:</u></b></p> <p>¶¶ 18, 127, 159, 161, 165-66, 192, 200, 205-06, 210, 224, 226, 236-38, 247, 254, 257, 260-61, 266, 280, 297, 310, 319 and the headings of Sections IX, X, X.B, XI, XI.B, XII, and XII.B state improper legal conclusions.</p>
1007	<p>35 U.S.C. § 102: The exhibit is not prior art.</p> <p>FRE 403: To the extent this document may be 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>

1011	<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. The exhibit is not cited in the Petition or either expert declaration (Exs. 1005, 1042).</p> <p>FRE 106: This document is incomplete.</p>
1016	<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. The exhibit is not cited in the Petition or either expert declaration (Exs. 1005, 1042).</p>
1017	<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. The exhibit is not cited in the Petition or either expert declaration (Exs. 1005, 1042).</p>
1021	<p>FRE 106: This document is incomplete.</p>
1022	<p>FRE 901, 902: This document has not been authenticated.</p> <p>35 U.S.C. § 311: This document does not qualify as a printed publication.</p> <p>FRE 802: This document is hearsay</p>
1023	<p>FRE 901, 902: This document has not been authenticated.</p> <p>35 U.S.C. § 311: This document does not qualify as a printed publication.</p> <p>FRE 802: This document is hearsay</p>

1024	<p>FRE 901, 902: This document has not been authenticated.</p> <p>35 U.S.C. § 311: This document does not qualify as a printed publication.</p> <p>FRE 802: This document is hearsay</p>
1027	<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. The exhibit is not cited in the Petition or either expert declaration (Exs. 1005, 1042).</p>
1031	<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. The exhibit is not cited in the Petition or either expert declaration (Exs. 1005, 1042).</p> <p>FRE 802: This document is hearsay.</p>
1034	<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. The exhibit is not cited in the Petition or either expert declaration (Exs. 1005, 1042).</p>
1037	<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. The exhibit is not cited in the Petition or either expert declaration (Exs. 1005, 1042).</p>

# 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.