

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>

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.