

PROTECTIVE ORDER MATERIAL

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.

Case No.: IPR2020-00136
U.S. Patent No. RE 45,776

PETITIONERS' REPLY

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I. INTRODUCTION

Patent Owner (“PO”) does not dispute, because it cannot, that Kontos describes its “support catheter” as a “mini guide catheter.” Ex-1409, 3:40-49. Nor does PO dispute that Kontos teaches, just like the coaxial guide catheter 12 of the Teleflex patent, that support catheter 10 includes a short distal lumen (body 12) coupled to a pushrod (wire 14). Other than the various side openings, Kontos teaches each structural limitation of the Challenged Claims. But as explained herein, the use of the claimed side openings was an obvious modification. The Challenged Claims are invalid as obvious.

II. CLAIM CONSTRUCTION: CLAIM 36 DOES NOT REQUIRE TWO INCLINES.

Claim 36 recites that “the segment defining the angled proximal end of the partially cylindrical opening includes at least one inclined region that tapers into a non-inclined region.” Ex-1401, 14:22-25. PO did not propose a construction for this claim,¹ and just assumes that claim 36 requires a two-incline side opening. Paper 40 (“POR”), 42.

Claim 36 only requires a “segment” defining a partially cylindrical opening with an angled proximal end that tapers into a non-inclined region. As

¹ In co-pending IPR2020-00135, PO proposes a construction of claim 36. Even if PO had proposed the same construction here, it would not be correct.

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