

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 IPR2020-01341
U.S. Patent No. 8,142,413

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 8,142,413**

TABLE OF CONTENTS

	Page
I. Preliminary Statement	1
II. Mandatory Notices Under 37 C.F.R. § 42.8.....	4
A. Real Party-in-Interest	4
B. Related Matters.....	4
C. Lead and Backup Counsel.....	6
D. Service Information.....	6
III. Requirements for Inter Partes Review.....	7
A. Grounds for Standing	7
B. Precise Relief Requested and Asserted Grounds	7
IV. Background.....	7
A. Overview of the Technology.....	7
B. Overview of the '413 Patent.....	9
V. Person of Ordinary Skill In The Art	11
VI. Claim Construction.....	12
A. “interventional cardiology device(s)” (all challenged claims).....	13
B. “standard guide catheter” (all challenged claims).....	14
C. “placed in a branch artery” (all challenged claims)	15
VII. The Board Should Not Decline To Institute Under 35 U.S.C. § 314(a).	16
VIII. Prior Art	17
A. Itou.....	17
B. Ressemann.....	19
IX. Ground 1: ITOU ANTICIPATES CLAIMS 1-2, 4, and 7-14.....	21
A. Claim 1	21
1. [1.pre.i]	21
2. [1.pre.ii].....	24

TABLE OF CONTENTS
(continued)

	Page
3. [1.pre.iii].....	26
4. [1.pre.iv].....	29
5. [1.a]	31
6. [1.b]	33
7. [1.c]	34
8. [1.d.i]	38
9. [1.d.ii].....	42
10. [1.e]	45
11. [1.f].....	49
B. Claim 2	52
C. Claim 4	52
D. Claim 7	55
E. Claim 8	58
F. Claim 9	59
G. Claim 10	60
[10.pre]	60
[10.a]	60
[10.b]	60
H. Claim 11	62
I. Claim 12	65
J. Claim 13	66
K. Claim 14	67
X. Ground 2: ITOU RENDERS CLAIMS 1-2, 4-5, and 7-14 OBVIOUS IN VIEW OF THE COMMON KNOWLEDGE OF A POSITA	70
A. Claim 1	70
B. Claims 2, 4-5, 7-14.....	75

TABLE OF CONTENTS
(continued)

	Page
XI. Ground 3: ITOU RENDERS CLAIMS 1-2, 4-5, and 7-14 OBVIOUS IN VIEW OF RESSEMANN AND THE COMMON KNOWLEDGE OF A POSITA.	77
A. Claim 1	77
B. Claim 2	83
C. Claim 4	83
D. Claim 5	83
E. Claim 7	85
F. Claim 8	86
G. Claim 9	88
H. Claim 10	90
I. Claims 11-12	91
J. Claim 13	93
K. Claim 14	93
XII. Any Argument by Patent Owner of an Early Conception and Reduction to Practice Date Should Not Preclude Institution.	95
XIII. Secondary Considerations	96
XIV. Conclusion	98

TABLE OF AUTHORITIES

	Page(s)
Cases	
<i>Aerospace, Inc.</i> , IPR2017-01275, Paper 12 (P.T.A.B. Oct. 31, 2017)	95
<i>Altiris Inc. v. Symantec Corp.</i> , 318 F.3d 1363 (Fed. Cir. 2003)	49
<i>Arctic Cat, Inc. v. Polaris Industries Inc.</i> , IPR2017-00433, Paper 17 (P.T.A.B. July 5, 2017)	95
<i>Boston Scientific Corp. v. Vascular Solutions, Inc.</i> , IPR2014-00759 (P.T.A.B., terminated Aug. 11, 2014)	6
<i>Fed. Land Bank of St. Paul v. Bismarck Lumber Co.</i> , 314 U.S. 95 (1941)	31
<i>Interactive Gift Express, Inc. v. Compuserve Inc.</i> , 256 F.3d 1323 (Fed. Cir. 2001)	49
<i>KSR Int'l Co. v. Teleflex Inc.</i> , 550 U.S. 398 (2007)	73
<i>Laryngeal Mask Co. v. Ambu, A/S</i> , 618 F.3d 1367 (Fed. Cir. 2010)	17
<i>Legget & Platt, Inc. v. VUTEK, Inc.</i> , 537 F.3d 1349 (Fed. Cir. 2008)	20
<i>Lowe's Cos., Inc. v. Nichia Corp.</i> , IPR2017-02011, Paper 13 (P.T.A.B. Mar. 12, 2018)	95
<i>Mylan Pharms. Inc. v. Boehringer Ingelheim Pharms. Inc.</i> , IPR2016-01563, Paper 14 (PTAB Dec. 7, 2016)	93, 94
<i>Petroleum Geo-Services Inc. v. W. Geco LLC</i> , IPR2014-01477, Paper 18 (P.T.A.B. Mar. 17, 2015)	95

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.