

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

MEDTRONIC INC., and MEDTRONIC VASCULAR, INC.,
Petitioner,

v.

TELEFLEX LIFE SCIENCES LIMITED,
Patent Owner.

IPR2020-01341
Patent 8,142,413 B2
IPR2020-01342
Patent 8,143,413 B2
IPR2020-01343
Patent RE46,116 E
IPR2020-01344
Patent RE46,116 E

Record of Oral Hearing
Held: November 18, 2021

Before SHERIDAN K. SNEDDEN, JAMES A. TARTAL, and
CHRISTOPHER G. PAULRAJ, *Administrative Patent Judges*.

IPRs 2020-01341 2020-01342 2020-01343 & 2020-01344
Patents 8,142,413 B2 8,143,413 B2 RE46,116 E

APPEARANCES:

ON BEHALF OF THE PETITIONER:

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The above-entitled matter came on for hearing on Friday,
November 18, 2021, commencing at 1:00 p.m., EDT, at the U.S. Patent and
Trademark Office, by video/by telephone, before Walter Murphy, Notary
Public.

IPRs 2020-01341 2020-01342 2020-01343 & 2020-01344
Patents 8,142,413 B2 8,143,413 B2 RE46,116 E

PROCEEDINGS

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2 JUDGE SNEDDEN: Good afternoon. This is the consolidated oral
3 hearing in a series of Inter partes Reviews involving Petitioner Medtronic
4 and Patent Owner Teleflex. These are IPR 2020-01341, 01342, 01343, and
5 01344. I am Judge Snedden and appearing via video with me today will be
6 Judge Paulraj and Judge Tartal. Let's start with appearances starting with
7 Petitioner's counsel first and then Patent Owner's counsel.

8 MR. MORTON: Yes, Your Honor. (Audio interference) Robins
9 Kaplan for Petitioner. Can you hear me? There were a couple of beeps
10 there.

11 JUDGE SNEDDEN: Yes. Please start over. I missed -- I think there
12 were some beeps over, yes, we couldn't hear you so well.

13 MR. MORTON: Yes, Your Honor. (Audio interference). So, Your
14 Honor, again this is Cy Morton of Robins Kaplan for Petitioner Medtronic.
15 With me today also is Sharon Roberg-Perez and Emily Tremblay. We may
16 have Chad Hanson from the client on the public line as well.

17 JUDGE SNEDDEN: Okay. Welcome, Mr. Morton.

18 MR. VANDENBURGH: Your Honor, this is Derek Vandenburg of
19 Carlson Caspers firm for Patent Owner Teleflex. Also appearing today but
20 on a separate line will be Mr. Peter Kohlhepp and Megan Christner of the
21 Carlson Caspers firm. I believe also with them is Ken Levitt of the Dorsey
22 firm and we may have Greg Smock and Howard Cyr of Teleflex on the
23 public line.

1 JUDGE SNEDDEN: Okay. Thank you. Welcome, Mr.
2 Vandenburg and I understand that I believe it's Petitioner, so Mr. Morton,
3 you'll have a LEAP practitioner so I just want to remind everyone for the
4 benefit of our court reporter and the transcript we ask everyone to
5 reintroduce themselves as they begin speaking and arguing their particular
6 sections today.

7 I just want to remind everyone this is a public hearing and we do have
8 a public line where members of the public can dial in. I'm not sure if we
9 have actual members of the public outside of the client representatives but to
10 the extent that confidential information will be discussed today we ask
11 counsel to announce the need to discuss that information so we can mute the
12 public line.

13 We are in receipt of the parties' demonstratives and we have access to
14 the record in each of these cases. So as you proceed through your
15 presentations today we ask counsel to identify the specific slide numbers that
16 they're discussing during the arguments so we can follow along and also for
17 the benefit of the record.

18 We have received the parties' objections to the other side's
19 demonstratives and we'll take those objections under advisement but we will
20 not exclude counsel from presenting arguments based on those
21 demonstratives today. We generally remind the parties that demonstratives
22 are not evidence themselves and cannot be used to supplement the record
23 and as such we ask counsel to refrain from making any objections until the
24 end of the other side's arguments unless of course there's a risk that a party
25 may be getting into confidential information while on the public line.

1 As set forth in our Hearing Order we will be dividing the hearing into
2 two segments. We will begin with Patent Owner and the segment on
3 conception and reduction to practice or CRTP. Each side will have 30
4 minutes and each side may reserve a portion of that for rebuttal time. After
5 that we will take a ten minute break and when we return Petitioner will
6 begin argument relating to its petition and issues in which Petitioner has the
7 burden and due to the appearance of the LEAP practitioner Petitioner will
8 have 75 minutes to argue its positions. Patent Owner will have 60 minutes.
9 Each side may reserve some amount of rebuttal time for their respective
10 arguments and I imagine we'll have another ten minute break prior to the
11 rebuttal period but if additional breaks are needed please let me know at any
12 time throughout the hearing today and I'm sure we can accommodate that.

13 Finally, I'll keep a clock but as we don't have a mechanism to stream
14 my clock that I'm using here, we ask each party to also keep a clock and I'll
15 try to give a warning when we get below five minutes or so. All right. Any
16 questions before we begin.

17 MR. VANDENBURGH: No, Your Honor.

18 JUDGE SNEDDEN: Okay. All right, Mr. Vandenburg, we'll start
19 with you when you're ready.

20 MR. VANDENBURGH: Thank you very much and again for the
21 record this is Derek Vandenburg representing the Patent Owner Teleflex. I
22 would like to reserve ten minutes of my time on this section if I could.

23 JUDGE SNEDDEN: Okay.

24 MR. VANDENBURGH: And I'd like to start with a brief explanation
25 of why we have this second round of IPRs on issues that are so similar to the

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