

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.

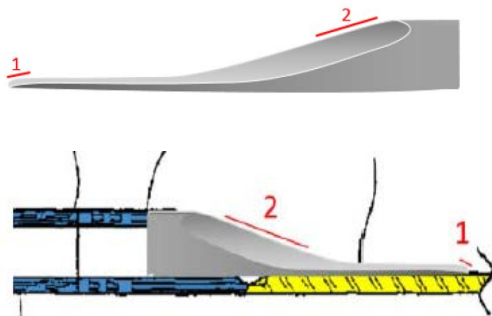
Case IPR2020-01343
Patent RE46,116

**PATENT OWNER'S LIST OF IMPROPER REPLY ARGUMENTS AND
EVIDENCE**

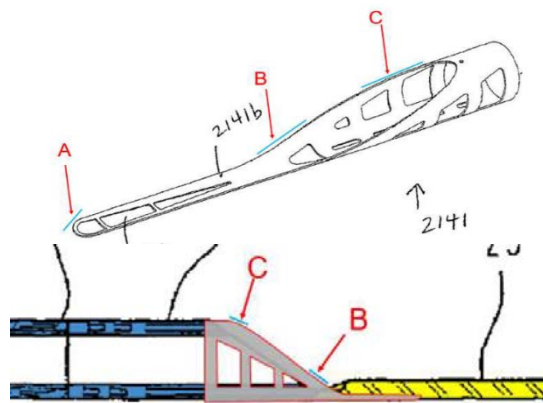
Pursuant to the Board’s authorization provided on September 23, 2021 (Paper 57), Patent Owner Teleflex identifies the following arguments and evidence:

1) Petitioner’s new theory that Ressemann’s collar discloses three inclined portions:

Petition theory:



New “three inclines” theory:



The following arguments and evidence correspond:

- a) Reply (Paper 46), pages 28-31, 34 (Section IV.B.1-2); and
- b) Ex-1806, ¶¶82-93; Ex-1807, ¶¶60, 72-73, 154, 158.

2) Petitioner’s new theory for how a POSITA would purportedly expect to successfully combine Ressemann’s collar with Itou’s pushwire (the Petition and supporting evidence relied on how *Ressemann* taught to incorporate the collar tab into Itou (e.g., Ex-1042, ¶97)). The following arguments and evidence correspond:

- a) Reply (Paper 46), pages 33-34 (Section V.B.2); and

b) Ex-1807, ¶¶67-88.

3) Petitioner's new evidence purporting to show that stents were insertable through an opening of 0.046 inches. The following arguments and evidence correspond:

a. Reply (Paper 46), page 25-26 (Section IV.A.2);

b. Ex-1806 ¶¶30-34; Ex-1807, ¶42-46; and

c. Ex-1015, 641; Ex-1802; Ex-1803; Ex-1804; Ex-1811.

Dated: October 1, 2021

Respectfully submitted,

/J. Derek Vandenburg /

J. Derek Vandenburg (Lead Counsel)

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CERTIFICATION OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e) and the agreement of the parties, the undersigned certifies that on October 1, 2021, a true and correct copy of the foregoing *Patent Owner's List of Improper Reply Arguments and Evidence* was served via electronic mail upon the following:

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