

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.

Case No.: IPR2020-01343

U.S. Patent No. RE46,116

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

Pursuant to the Board's authorization provided on September 23, 2021 (Paper 57), Petitioner identifies the following support from the Petition and/or the Patent Owner Response demonstrating each portion of Petitioner's Reply or evidence does not exceed the scope of a proper reply:

1. **Petitioner's theory that Ressemann's collar discloses three inclined portions.**

The following arguments and evidence correspond:

- a. Patent Owner's Response (Paper 21), pages 42-47 (Section V.B.4); and
- b. Ex-2138, ¶¶ 102-107, 175-83; Ex-2145, ¶¶ 176-77.

2. **Petitioner's theory for how a POSITA would expect to successfully combine Ressemann's Collar with Itou's pushwire.** The following arguments and evidence correspond:

- a. Petition (Paper 1), page 66 (Section X.S);
- b. Ex-1042, ¶¶ 92-93;
- c. Patent Owner's Response (Paper 21), pages 52-54 (Section V.B.4.iv); and
- d. Ex-2138, ¶¶ 190-95.

3. **Petitioner's evidence showing that stents were insertable through an opening of 0.046 inches.** The following arguments and evidence correspond:

- a. Petition (Paper 1), page 43 (Section X.A.4);
- b. Ex-1005, ¶¶ 207-219;

- c. Patent Owner's Response (Paper 21), pages 36-38 (Section V.B.3.i); and
- d. Ex-2138, ¶¶ 99-100, 141-141a; Ex-2145, ¶¶ 125-29.

Dated: October 8, 2021

Respectfully submitted,

/Cyrus A. Morton/

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CERTIFICATE OF SERVICE

I hereby certify that on October 8, 2021, a copy of this document has been served by electronic mail on Patent Owner's counsel at the following addresses indicated in Patent Owner's Mandatory Notices:

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