

Filed: June 11, 2021

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EDWARDS LIFESCIENCES CORPORATION AND
EDWARDS LIFESCIENCES LLC,

PETITIONERS,

V.

COLIBRI HEART VALVE LLC,

PATENT OWNER.

Case No. IPR2020-01649

U.S. Patent No. 9,125,739

**DECLARATION OF SARAH E. SPIRES IN SUPPORT OF PATENT
OWNER'S RESPONSE UNDER 37 C.F.R. § 42.120**

Pursuant to 28 U.S.C. § 1746, I, Sarah E. Spires, hereby declare as follows:

1. I am over the age of eighteen and otherwise competent to make this declaration. I have personal knowledge of the facts contained in this declaration, and they are true and correct.

2. I am a Partner with the law firm of Skiermont Derby LLP, which represents the Patent Owner, Colibri Heart Valve, LLC (“Colibri”) in this proceeding. I am a registered patent attorney and am lead counsel in this proceeding.

3. Ex. 2020 is a true and correct copy of the deposition transcript of Dr. Steven Goldberg, whose deposition was taken in this matter on May 28, 2021. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

4. Ex. 2025 is a true and correct copy of docket entry 97-1 in Case No. 8:20-cv-00847-DOC-JDE, filed on February 11, 2021 in the United States District Court Central District of California Southern Division – Santa Ana, and entitled “Technical Special Master Report and Recommendation on Claim Construction.” This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

5. Ex. 2026 is a true and correct copy of docket entry 119 in Case No. 8:20-cv-00847-DOC-JDE, filed on May 19, 2021 in the United States District Court Central District of California Southern Division – Santa Ana, and entitled “Order Adopting Technical Special Master Report and Recommendation on Claim Construction.” This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

Under penalty of perjury, I declare the above statements as true and accurate to the best of my recollection. I further state that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the U.S. Code.

Executed on this 11th day of June, 2021.

/Sarah E. Spires/

Sarah E. Spires (Reg. No. 61,501)