

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Abiomed, Inc., Abiomed R&D, Inc., and Abiomed Europe GmbH
Petitioner

v.

Maquet Cardiovascular, LLC
Patent Owner

Case No. IPR2017-02151

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 9,327,068

CLAIMS 10, 13-15, AND 20

DECLARATION OF KIERSTEN BATZLI

I, Kiersten Batzli, declare:

1. I am a patent agent at the law firm of White & Case LLP.

2. I provide this Declaration in connection with the above-identified *Inter Partes* Review proceeding. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

3. Ex. 1008 is a copy of the chapter, R. Wampler et al., “Clinical Experience with the Hemopump Left Ventricular Support Device,” published in the book *Supported Complex and High Risk Coronary Angioplasty*, 1st Ed., Ch. 14, pp. 231-249, published by Springer, 1991, along with the cover, title pages, and table of contents of the book. Page 5 of Ex. 1008 includes a July 23, 1991, Library of Congress Copyright Office stamp. On January 26, 2017, I visited <https://catalog.loc.gov/>, and printed a copy of the Library of Congress Online Catalog Record of this book under LC Control No. 91007004 from <https://lcn.loc.gov/91007004>. The copy of this record is now Exhibit 1039.

4. Ex. 1021 is a copy of the paper, Moulopoulos et al., “*Diastolic Balloon Pumping (With Carbon Dioxide) in the Aorta – a Mechanical Assistance to the Failing Circulation*,” American Heart Journal, vol. 63, no. 1 (1962) 669-675, along with the cover, title pages, and table of contents of the journal. Page 3 of Ex. 1021 (page 1 is a color copy of the same page) includes an October 29, 1962, Library of Congress Copyright Office stamp. On January 26, 2017, I visited

<https://catalog.loc.gov/>, and printed a copy of the Library of Congress Online Catalog Record of this journal under LC Control No. a38001186 from [https://lcn.loc.gov/ a38001186](https://lcn.loc.gov/a38001186). The copy of this record is now Exhibit 1040.

5. Ex. 1027 is a copy of the paper, Konishi et al., “Controller for an axial flow blood pump,” *Artificial Organs Journal*, vol. 20, no. 6 (Jun. 1996) 618-620, along with the cover, title pages, and table of contents of the journal. Page 2 of Ex. 1027 (Page 3 of Ex. 1027 is a color copy of the same page) includes an August 23, 1996, Library of Congress Copyright Office stamp. On January 26, 2017, I visited <https://catalog.loc.gov/>, and printed a copy of the Library of Congress Online Catalog Record of this journal under LC Control No. 78640817 from <https://lcn.loc.gov/78640817>. The copy of this record is now Exhibit 1041.

6. Ex. 1029 is a copy of chapters 9 and 14 of the book *Textbook of Medical Physiology* by Arthur C. Guyton and John E. Hall, 9th Edition (1996), along with the cover, title pages, and table of contents of the book. Page 3 of Ex. 1029 includes a November 8, 1995, Library of Congress Copyright Office stamp. On January 26, 2017, I visited <https://catalog.loc.gov/>, and printed a copy of the Library of Congress Online Catalog Record of this book under LC Control No. 94040510 from <https://lcn.loc.gov/94040510>. The copy of this record is now Exhibit 1042.

7. Ex. 1032 is a copy of chapter 2 of the book "*Fluid Mechanics*," ed. Frank M. White, 2nd edition (1986), along with the title pages and table of contents of the book. Page 2 of Ex. 1032 includes a February 13, 1986, Library of Congress Copyright Office stamp. On January 29, 2017, I visited <https://catalog.loc.gov/>, and printed a copy of the Library of Congress Online Catalog Record of this book under LC Control No. 85014939 from <https://lcn.loc.gov/85014939>. The copy of this record is now Exhibit 1043.

8. I declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: March 6, 2017

By: Kiersten Batzli

Kiersten Batzli