

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 IPR2017-02151
U.S. Patent No. 9,327,068**

**PATENT OWNER'S MANDATORY NOTICES
PURSUANT TO 37 C.F.R. §42.8(a)(2)**

Pursuant to 37 C.F.R. §42.8(a)(2), Patent Owner, Maquet Cardiovascular, LLC, submits the following mandatory notice information:

I. Notice of Real Party-In-Interest Pursuant to 37 C.F.R.

§42.8(b)(1).

The real party-in-interest is the Patent Owner, Maquet Cardiovascular, LLC (“Maquet”) a Delaware company having its principal place of business at 45 Barbour Pond Drive, Wayne, New Jersey 07470.

II. Notice of Related Matters Pursuant to 37 C.F.R. §42.8(b)(2)

a. Litigation

Maquet and Abiomed are engaged in a lawsuit. Abiomed initiated this lawsuit on May 19, 2016, and this lawsuit is currently pending in the District of Massachusetts (Case No. 1:16-cv-10914).

b. Inter Partes Review

Petitioners, Abiomed, Inc., Abiomed R&D, Inc., and Abiomed Europe GmbH (collectively, “Abiomed”), filed twenty petitions requesting *inter partes* review directed to U.S. Patent Nos. 7,022,100, 8,888,728, 9,327,068, 9,545,468, 9,561,314, and 9,597,437 as follows:

Pending IPR Petitions	IPR Petitions Denied Institution
IPR2017-01201	IPR2017-01025
IPR2017-01202	IPR2017-01026
IPR2017-01203	IPR2017-01027
IPR2017-01204	IPR2017-01028
IPR2017-01205	IPR2017-01029
IPR2017-01207	
IPR2017-01208	
IPR2017-01209	
IPR2017-01253	
IPR2017-02134	
IPR2017-02135	
IPR2017-02150	
IPR2017-02151	
IPR2017-02152	
IPR2017-02153	

c. Pending U.S. Patent Applications

U.S. Patent Application No. 14/966,669 is projected to issue as U.S. Patent No. 9,789,238 on October 17, 2017, and may affect a decision in this proceeding as it received a Notice of Allowance on September 5, 2017, after the disclosure of each of the Petitions and Patent Owner Preliminary Responses in IPR2017-01025, IPR2017-01026, IPR2017-01027, IPR2017-01028, IPR2017-01029, IPR2017-01201, IPR2017-01202, IPR2017-01203, IPR2017-01204, IPR2017-01205, IPR2017-01207, IPR2017-01208, IPR2017-01209, and IPR2017-01253. U.S. Patent Application No. 15/675,310, which is a division of U.S. Patent Application No. 14/966,669, is currently pending before the Office.

No other actions between the parties are currently pending in the United States with regard to U.S. Patent Nos. 7,022,100, 8,888,728, 9,327,068, 9,545,468, 9,561,314, or 9,597,437.

III. Notice of Lead and Backup Counsel Pursuant to 37 C.F.R. §42.8(b)(3)

Patent Owner hereby gives notice of the following lead and backup counsel:

Patent Owner's Lead Counsel	Michael S. Connor (Reg. No. 34,141) ALSTON & BIRD LLP 101 South Tryon Street, Suite 4000 Charlotte, NC 28280 Tel: 704.444.1000 Email: mike.connor@alston.com
Patent Owner's Back-up Counsel	Christopher TL Douglas (Reg. No. 56,950) S. Benjamin Pleune (Reg. No. 52,421) Lauren E. Burrow (Reg. No. 70,447) ALSTON & BIRD LLP 101 South Tryon Street, Suite 4000 Charlotte, NC 28280 Tel: 704.444.1000 Email: christopher.douglas@alston.com ben.pleune@alston.com lauren.burrow@alston.com

IV. Notice of Service Information Pursuant to 37 C.F.R. §42.8(b)(4)

Service of all documents may be made electronically to the lead counsel and backup counsel at:

- mike.connor@alston.com
- christopher.douglas@alston.com
- ben.pleune@alston.com
- lauren.burrow@alston.com

Dated: October 12, 2017

Respectfully submitted,

/Christopher TL Douglas/

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*Attorneys for
Patent Owner Maquet Cardiovascular LLC*

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §42.6(e), the undersigned hereby certifies that, on October 12, 2017, a true copy of the foregoing “PATENT OWNER’S MANDATORY NOTICES PURSUANT TO 37 C.F.R §42.8(a)(2)” for this *inter partes* review was served upon the following via email:

David M. Tennant (Reg. No. 48,362)
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/Christopher TL Douglas/
Christopher TL Douglas
Reg. No. 56,950