

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EDWARDS LIFESCIENCES CORPORATION,

Petitioner,

v.

ENDOHEART AG,

Patent Owner.

Case IPR2016-00299

U.S. Patent No. 8,182,530

DECLARATION OF RUBY J. NATNITHITHADHA

Pursuant to 28 U.S.C. § 1746, I, Ruby J. Natnithithadha, the undersigned, hereby declare as follows:

1. My name is Ruby J. Natnithithadha. I am over eighteen years of age, of sound mind, and in all ways qualified and 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 Senior Attorney at the law firm of Oblon, McClelland, Maier & Neustadt, LLP. and back-up counsel in the Petition filed by Edwards Lifesciences Corporation on December 9, 2015.
3. On February 17, 2016 Endoheart's counsel, Edward Arons, sent an email correspondence to Edwards Lifesciences Corporation's counsel of record, identifying a discrepancy related to the Mandatory Notices section of the Petition. This was the first time Edwards Lifesciences Corporation's counsel was put on notice or aware of any issue related to the Mandatory Notices.
4. The discrepancy was in fact the result of a clerical error regarding the relationship between the two Edwards Lifesciences entities identified in the Mandatory Notices section of the Petition.

5. I attest that on a teleconference with Keith Newburry, Catherine Nyarady and Todd Baker on December 8, 2015, we discussed the relationship between the real parties-in-interest in the instant proceeding.
6. I attest I mis-transcribed into the Petition that Edwards Lifesciences, LLC is the parent company of Edwards Lifesciences Corporation. *See* Petition at 21.
7. As supported by the attached document, Exhibit 1045, downloaded from www.sec.gov on March 3, 2016, the public records plainly identify Edwards Lifesciences, LLC as a wholly owned entity of Edwards Lifesciences Corporation.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further 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 and that such willful false statements may jeopardize the results of these proceedings.

Date: March 22, 2016

/Ruby J. Natnithithadha/
Ruby J. Natnithithadha