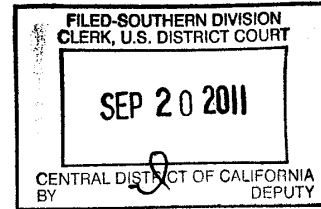


1 William S. O'Hare (#082562)  
wohare@swlaw.com  
2 Deborah S. Mallgrave (#198603)  
dmallgrave@swlaw.com  
3 SNELL & WILMER L.L.P.  
600 Anton Boulevard, Suite 1400  
4 Costa Mesa, California 92626-7689  
Telephone: (714) 427-7000  
5 Facsimile: (714) 427-7799

6 John E. Nathan (*pro hac vice*)  
jnathan@paulweiss.com  
7 Catherine Nyarady (*pro hac vice*)  
cnyarady@paulweiss.com  
8 Brian P. Egan (*pro hac vice*)  
began@paulweiss.com  
9 Paul Weiss Rifkind Wharton & Garrison LLP  
1285 Avenue of the Americas  
10 New York, New York 10019-6064  
Tel: 212-373-3000  
11 Fax: 212-757-3990



12 Attorneys for Defendants and Counterclaim-Plaintiffs  
Edwards Lifesciences Corporation,  
13 Edwards Lifesciences LLC, and  
Edwards Lifesciences (U.S.) Inc.

14 Attorneys for Counterclaim-Plaintiff  
15 Edwards Lifesciences PVT, Inc.

16 UNITED STATES DISTRICT COURT  
17 CENTRAL DISTRICT OF CALIFORNIA, SANTA ANA  
18

19 MEDTRONIC COREVALVE LLC,  
20 MEDTRONIC CV LUXEMBOURG  
S.A.R.L., AND MEDTRONIC  
21 VASCULAR GALWAY LTD.,

22 Plaintiffs,

23 v.

24 EDWARDS LIFESCIENCES  
CORPORATION, EDWARDS  
25 LIFESCIENCES LLC, AND  
26 EDWARDS LIFESCIENCES (U.S.)  
27 INC.,

28 Defendants.

CASE NO. SACV11-00961 JVS (MLGx)  
Hon. Joseph V. Selna  
Magistrate Judge Marc L. Goldman

**ANSWER AND COUNTERCLAIMS**

**DEMAND FOR JURY TRIAL**

COMPLAINT FILED: June 27, 2011

Answer and Counterclaims  
Case No. SACV11-00961

Snell & Wilmer  
LLP  
LAW OFFICES  
600 Anton Boulevard, Suite 1400  
Costa Mesa, California 92626-7689  
(714) 427-7000

1 EDWARDS LIFESCIENCES  
2 CORPORATION, EDWARDS  
3 LIFESCIENCES LLC, EDWARDS  
4 LIFESCIENCES (U.S.) INC., AND  
5 EDWARDS LIFESCIENCES PVT,  
6 INC.,

7 Counterclaim-Plaintiffs,

8 v.

9 MEDTRONIC COREVALVE LLC,  
10 MEDTRONIC CV LUXEMBOURG  
11 S.A.R.L., MEDTRONIC  
12 VASCULAR GALWAY LTD.,  
13 MEDTRONIC, INC., AND  
14 MEDTRONIC VASCULAR, INC.

15 Counterclaim-Defendants

16 Defendants and Counterclaim-Plaintiffs Edwards Lifesciences Corporation,  
17 Edwards Lifesciences LLC (“Edwards LLC”) and Edwards Lifesciences (U.S.) Inc.  
18 (collectively, “Edwards”), file this Answer and Counterclaims Counts I and II in  
19 response to Plaintiffs Medtronic CoreValve LLC, Medtronic CV Luxembourg  
20 S.a.r.l. and Medtronic Vascular Galway Ltd. (collectively, “Medtronic Plaintiffs”)  
21 Complaint for Patent Infringement (hereinafter, “the Complaint”), and  
22 Counterclaim-Plaintiffs Edwards LLC and Edwards Lifesciences PVT, Inc.  
23 (“Edwards PVT”) file Counterclaim Count III for infringement of United States  
24 Patent No. 8,002,825 by the Medtronic entities as hereinafter stated.

25 **ANSWER**

26 **INTRODUCTION**

27 1. Edwards admits only that the Complaint purports to bring an action for  
28 patent infringement.

2. Edwards is without knowledge or information sufficient to form a  
belief as to the truth of the allegations of Paragraph 2 of the Complaint, and

Answer and Counterclaims  
Case No. SACV11-00961

1 accordingly those allegations are denied.

2 3. Edwards is without knowledge or information sufficient to form a  
3 belief as to the truth of the allegations of Paragraph 3 of the Complaint, and  
4 accordingly those allegations are denied.

5 4. Edwards is without knowledge or information sufficient to form a  
6 belief as to the truth of the allegations of Paragraph 4 of the Complaint, and  
7 accordingly those allegations are denied.

8 5. Edwards admits the allegations of Paragraph 5 of the Complaint.

9 6. Edwards admits the allegations of Paragraph 6 of the Complaint.

10 7. Edwards admits the allegations of Paragraph 7 of the Complaint.

11 **JURISDICTION AND VENUE**

12 8. Edwards admits only that the Medtronic Plaintiffs purport to invoke  
13 the jurisdiction of this Court pursuant to 28 U.S.C. §§ 1331 and 1338(a).

14 9. Edwards admits only that venue in this District is proper.

15 10. Edwards admits only that this Court has personal jurisdiction over  
16 each of the named Defendants. Edwards denies every other allegation of Paragraph  
17 10.

18 **FACTUAL BACKGROUND**

19 11. Edwards admits that United States Patent No. 7,892,281 (“the Seguin  
20 ’281 patent”) was issued on February 22, 2011, is entitled “Prosthetic Valve for  
21 Transluminal Delivery,” and that a copy of the Seguin ’281 patent is attached to the  
22 Complaint as “Exhibit 1.” Edwards denies the remaining allegations of Paragraph  
23 11 of the Complaint.

24 12. Edwards is without knowledge or information sufficient to form a  
25 belief as to the truth of the allegations of Paragraph 12 of the Complaint, and  
26 accordingly those allegations are denied.

27 13. Edwards is without knowledge or information sufficient to form a  
28

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LLP  
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1 belief as to the truth of the allegations of Paragraph 13 of the Complaint, and  
2 accordingly those allegations are denied.

3 14. Edwards is without knowledge or information sufficient to form a  
4 belief as to the truth of the allegations of Paragraph 14 of the Complaint, and  
5 accordingly those allegations are denied.

6 15. Edwards is without knowledge or information sufficient to form a  
7 belief as to the truth of the allegations of Paragraph 15 of the Complaint, and  
8 accordingly those allegations are denied.

9 **COUNT 1**

10 16. Edwards restates, realleges and incorporates by reference its responses  
11 to the allegations set forth in Paragraphs 1 through 15.

12 17. Edwards denies the allegations of Paragraph 17 of the Complaint.

13 18. Edwards denies the allegations of Paragraph 18 of the Complaint.

14 19. Edwards denies the allegations of Paragraph 19 of the Complaint.

15 20. Edwards denies the allegations of Paragraph 20 of the Complaint.

16 21. Edwards denies the allegations of Paragraph 21 of the Complaint.

17 **AFFIRMATIVE DEFENSES**

18 **First Affirmative Defense (Failure to State a Claim)**

19 22. Medtronic Plaintiffs' Complaint fails to state a claim upon which relief  
20 can be granted.

21 **Second Affirmative Defense (Noninfringement)**

22 23. Edwards has not infringed, contributorily infringed or actively induced  
23 the infringement of any valid claim of the Seguin '281 patent, either literally or  
24 under the doctrine of equivalents, and does not do so now.

25 **Third Affirmative Defense (Invalidity)**

26 24. Edwards is informed and believes, and thereupon alleges, that the  
27 Seguin '281 patent is invalid for failure to meet one or more of the requirements of  
28

1 patentability under United States Code Title 35, including, without limitation, one  
2 or more of the requirements of 35 U.S.C. §§ 102, 103 and/or 112.

3 **Additional Affirmative Defenses**

4 25. Edwards expressly reserves the right to assert and pursue additional  
5 defenses resulting from discovery and/or Edwards' ongoing investigations.

6 **PRAYER FOR RELIEF**

7 WHEREFORE, Edwards prays for relief as follows:

- 8 A. That the Court enter judgment in favor of Edwards, and against  
9 Medtronic Plaintiffs;
- 10 B. That the Court enter judgment that Edwards has not infringed the  
11 Seguin '281 patent, either literally or under the doctrine of equivalents;
- 12 C. That the Court enter judgment that the Seguin '281 patent is invalid;
- 13 D. That the Court deny any and all of Medtronic Plaintiffs' requests for  
14 injunctive relief;
- 15 E. That the Court dismiss Medtronic Plaintiffs' Complaint in its entirety,  
16 with prejudice;
- 17 F. That the Court find this case exceptional under 35 U.S.C. § 285, and  
18 award Edwards its reasonable attorneys' fees, costs and disbursements; and
- 19 G. That the Court grant Edwards such other relief as the Court deems just  
20 and proper.

21 **JURY DEMAND**

22 Edwards demands a trial by jury on all issues so triable in the Complaint.  
23  
24  
25  
26  
27  
28

Answer and Counterclaims  
Case No. SACV11-00961

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