

April 7, 2017

**VIA E-MAIL**

Brian Horne  
Knobbe, Martens, Olson & Bear, LLP  
1925 Century Park East, Suite 600  
Los Angeles, CA 90067

Re: *Boston Scientific Corp. et. al. v. Edwards Lifesciences Corporation*, Case  
No. 8:16-CV-0073-CJC-GJS (C.D. Cal.)

Dear Brian:

Pursuant to the Court's Order Granting Joint Stipulation On Scheduling Deadlines, BSC provides herein proposed constructions for terms identified in my letter on March 10, 2017. BSC reserves the right to rely on additional evidence not specifically cited herein and further intends to rely on expert testimony to the extent necessary.

BSC believes that the terms identified in Defendant Edwards Lifesciences Corp.'s Proposed Claim Terms For Construction (served on March 10, 2017) do not require construction and should be afforded their plain and ordinary meanings. Indeed, earlier this morning, Edwards modified four terms and eliminated 21 terms for construction from the list of the terms it proposed for construction on March 10, 2017, which confirms that at least these Edwards proposed terms carry plain and ordinary meanings and do not require construction. For the remaining claim terms, to the extent that Edwards proposes constructions that are inconsistent with their plain and ordinary meanings, BSC intends to meet and confer after a review of Edwards's proposed constructions and reserves the right to propose alternative constructions, to the extent an agreement cannot be reached.

**U.S. Patent No. 6,915,560**

Claim Term	Proposed Construction
"A stent crimper comprising" (claim preamble)	The claim preamble is limiting.  <u>Intrinsic Evidence:</u> <i>E.g.</i> , '560 Patent at Claims ( <i>e.g.</i> , Claim 36); Title; Abstract; 1:38-2:21; 2:26-46; 3:58-4:35; 5:63-65; 7:32-33; 8:40-46;12:22-23.

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**U.S. Patent No. 6,007,543**

Claim Term	Proposed Construction
“expandable inflatable means”	<p>This claim limitation is not subject to 35 U.S.C. § 112, ¶ 6.</p> <p>Proposed construction: a structure capable of being expanded and inflated.</p> <p><u>Intrinsic Evidence:</u>  <i>E.g.</i>, ’543 Patent at Claims; Abstract; Figs. 1-7; 1:6-51; 1:57-2:9; 2:40- 3:16; 3:59-65.</p>
“mounting and retaining means”	<p>This claim limitation is not subject to 35 U.S.C. § 112, ¶ 6.</p> <p>Proposed construction: a structure on which another structure can be mounted and retained.</p> <p><u>Intrinsic Evidence:</u>  <i>E.g.</i>, ’543 Patent at Claims; Abstract; Figs. 2-8; 1:57-2:9; 3:26-58; 3:66-4:37.</p>
“means for inflating the balloon”	<p>This limitation is subject to 35 U.S.C. § 112, ¶ 6.</p> <p>The corresponding structure: fluid (gas or liquid) from an inflation port and equivalents thereof.</p> <p><u>Intrinsic Evidence:</u>  <i>E.g.</i>, ’543 Patent at Claims; 2:59-3:5.</p>

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**U.S. Patent No. 6,203,558**

Claim Term	Proposed Construction
“expandable inflation means”	<p>Same as in the '543 Patent above.</p> <p><u>Intrinsic Evidence:</u>  <i>E.g.</i>, '558 Patent at claims; Abstract; Figs. 1-8, 11-14, 17-24, 28, 29, 31-56; 1:15-20; 1:24-3:3; 3:28-49; 4:11-5:48; 8:17-38; 8:55-67; 9:16-25; 10:1-7; 11:51-12:3; 11:36-63; 13:61-17:4; 18:31-19:9; 20:4-22:45; 22:66-24:30; 25:9-32; 25:37-49.</p>
“mounting and retaining means”	<p>Same as in the '543 Patent above.</p> <p><u>Intrinsic Evidence:</u>  <i>E.g.</i>, '558 Patent at Claims; Figs. 1-56; 3:50-5:48; 8:38-67; 9:26-12:35; 21:14-39; 22:38-44; 22:66-23:52; 24:40-25:5; 25:37-48.</p>

**U.S. Patent No. 6,371,962**

Claim Term	Proposed Construction
“expandable inflatable means”	<p>Same as in the '543 Patent above.</p> <p><u>Intrinsic Evidence:</u>  <i>E.g.</i>, '962 Patent at Claims; Abstract; Figs. 1-7; 1:12-58; 1:66-2:16; 2:47-3:23; 3:66-4:5.</p>

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Claim Term	Proposed Construction
“mounting and retaining means”	Same as in the '543 Patent above.  <u>Intrinsic Evidence:</u> <i>E.g.</i> , '962 Patent at Claims; Abstract; Figs. 2-8; 1:64-2:16; 3:33-65; 4:6-44.
“means for inflating the balloon”	Same as in the '543 Patent above.  <u>Intrinsic Evidence:</u> <i>E.g.</i> , '962 Patent at Claims; 2:66-3:12.

Sincerely,

/s/ Wallace Wu  
Wallace Wu