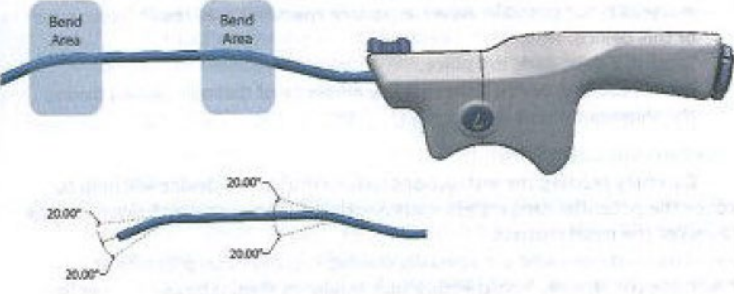
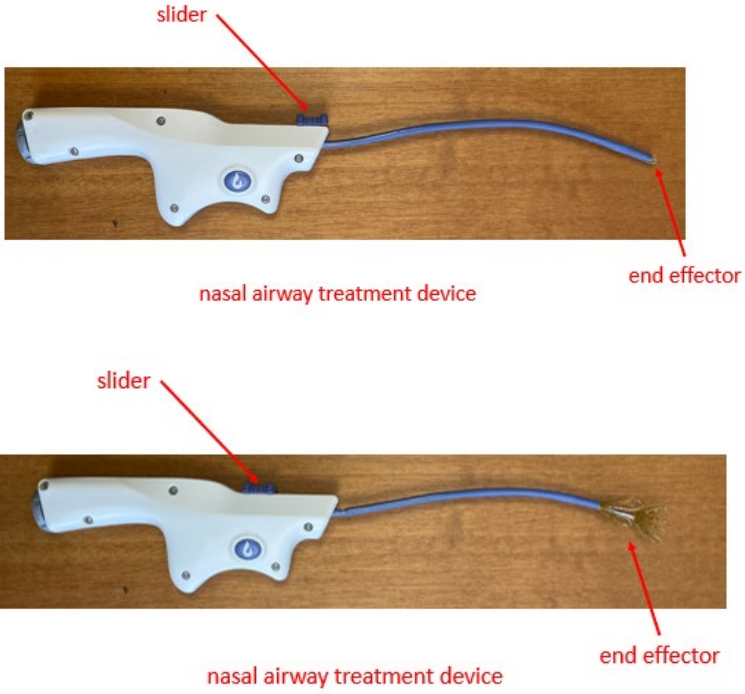


EXHIBIT T—U.S. Patent No. 9,072,597**I. Claim 9**

Claim 9 of the '597 Patent	Neuromark System and Method Using Neuromark System
[9.pre] A method of treating a patient's nasal airway, the method comprising:	Neurent's Neuromark system is used in a method of treating a patient's nasal airway. Neurent instructs users to perform such a method. Neurent's Neuromark system is indicated for use in "patients with chronic rhinitis." Ex. H (Letter from FDA dated Oct. 22, 2021, regarding 510(k)) at 3. The Instructions for Use of the Neuromark system describes a "Neuromark procedure" that instructs users to perform several "[u]se [s]tep[s]." Ex. K (Instructions for Use, NEUROMARK® System) at 3-4.  The Neuromark Device is "inserted via the nostrils" and the "target location is the nasal cavity in the area of the posterior nasal nerves." Ex. H at 6. The Instructions for Use of the Neuromark system and Neuromark Generator describe "the use of radiofrequency energy on tissue in the nasal airway." Ex. K at 3; Ex. L (NEURENT Medical, NEUROMARK Generator, Instructions for Use) at 2. Neurent's technical and marketing literature states that using its Neuromark system pursuant to the procedure "disrupts posterior nasal nerves, resulting in disruption of the neural signals, and so addresses the inflammatory process of the nasal mucosa" and "reduce[s] the symptoms of rhinitis." Ex. Q (NEUROMARK® System Mechanism of Action) at 3-4. It further states that using its Neuromark system pursuant to the procedure "may provide beneficial outcomes in patients with chronic rhinitis." Ex. Q at 4; <i>see also</i> Ex. H at 8 (stating that clinical studies indicate an "improvement in symptoms" of chronic rhinitis using the Neurent Neuromark system).

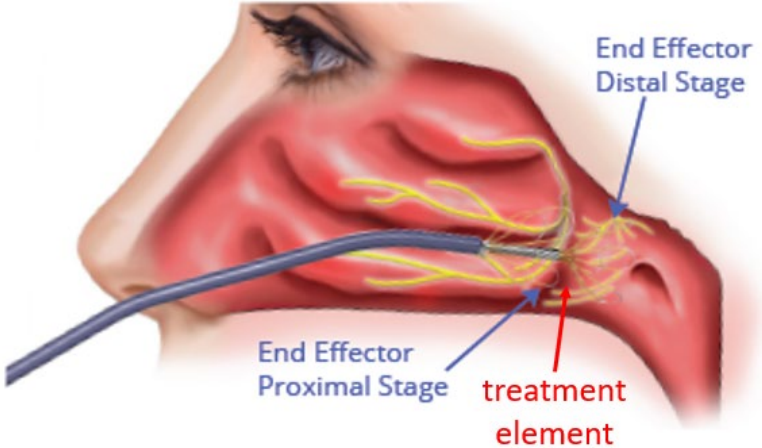
Claim 9 of the '597 Patent	Neuromark System and Method Using Neuromark System				
[9.a] adjusting a shape of a nasal airway treatment device;	Neurent's Neuromark system is used in a method that includes several ways for adjusting a shape of a nasal airway treatment device. Neurent instructs users to perform such a step. Neurent's Neuromark system is used in a method that includes adjusting a shape of a nasal airway treatment device at least by bending the shaft of the treatment device. The shaft of the Neuromark Device "is malleable to allow the user to bend or shape the shaft to accommodate variations in anatomy to access the desired treatment area(s)." Ex. H at 5; <i>see also</i> Ex. I (Letter from FDA dated Oct. 26, 2022, regarding 510(k)) at 4 ("The shaft . . . is malleable to allow the user to bend or shape it to accommodate variations in anatomy to access the desired treatment area."); Ex. K at 1 (same); Ex. H at 6 (describing the "malleable shaft"). The Instructions for Use of the Neuromark system describes a "Neuromark procedure" that instructs users to perform several "[u]se [s]tep[s]," including "[m]ov[ing] the slider backwards to deploy the end effector fully" and "carefully manipul[at]ing the shaft configuration to reduce/exaggerate the shaft curvature to enhance delivery." Ex. K at 3. NEUROMARK™ PROCEDURE <table border="1"> <thead> <tr> <th>Use Step</th> <th>Visual Examples</th> </tr> </thead> <tbody> <tr> <td> 6. Advance the device to the posterior recesses of the inferior/middle/superior meatus under endoscopic guidance <i>(OPTIONAL – If required, carefully manipulate the shaft configuration to reduce / exaggerate the shaft curvature to enhance delivery – see figure 3)</i> </td> <td>  </td> </tr> </tbody> </table> The Instructions for Use of the Neuromark system further instructs users how and where to bend the shaft, instructing users to "[s]hape the device with small careful movements taking care not to damage the shaft." Ex. K at 5.	Use Step	Visual Examples	6. Advance the device to the posterior recesses of the inferior/middle/superior meatus under endoscopic guidance <i>(OPTIONAL – If required, carefully manipulate the shaft configuration to reduce / exaggerate the shaft curvature to enhance delivery – see figure 3)</i>	
Use Step	Visual Examples				
6. Advance the device to the posterior recesses of the inferior/middle/superior meatus under endoscopic guidance <i>(OPTIONAL – If required, carefully manipulate the shaft configuration to reduce / exaggerate the shaft curvature to enhance delivery – see figure 3)</i>					

Claim 9 of the '597 Patent	Neuromark System and Method Using Neuromark System
	Recommended areas and limits for re-shaping the shaft, if required, to suit anatomy. Do not shape the shaft outside of the areas shown or in excess of the recommended shape range. Shape the device with small careful movements taking care not to damage the shaft.  The diagram illustrates the Neuromark system, which includes a handle with a slider and a shaft. The shaft has two designated 'Bend Area's marked with blue rectangles. Below the handle, a curved line represents the recommended shape range for the shaft, with angles of 20.00 degrees indicated at the bends. Neurent's Neuromark system is used in a method that also includes adjusting a shape of a nasal airway treatment device at least by operating a slider to deploy the end effector. The Neuromark Device "is operated via handle, slider and activation switch. Once in the desired position within the nasal cavity, the operator moves the slider backwards which retracts the outer sheath, deploying the end effector array." Ex. H at 5. <i>See also</i> Ex. K at 1 ("Once in the desired position within the nasal cavity, the operator moves the slider backwards which retracts the outer sheath, deploying the end effector."); <i>see also</i> Ex. I at 4 (same). The "end effector" of the Neuromark Device "consists of a distal and proximal stage," and "[t]he leaflets are super elastic and spring out to enforce mucosal apposition on the lateral wall." Ex. K at 3. The Instructions for Use of the Neuromark system describes a "Neuromark procedure" that instructs users to perform several "[u]se [s]tep[s]," including "[m]ov[ing] the slider backwards to deploy the

Claim 9 of the '597 Patent	Neuromark System and Method Using Neuromark System
	end effector fully” and “ensur[ing] that the slider is fully pulled back to allow for full deployment of the end effector.” Ex. K at 3. NEUROMARK™ PROCEDURE Use Step Visual Examples 9. Move the slider backwards to deploy the end effector fully CAUTION: Ensure that the slider is fully pulled back to allow for full deployment of the end effector Photographs of the Neuromark Device show how moving the slider backwards deploys the end effector.  The top photograph shows the Neuromark Device with the slider moved forward. A red arrow points to the slider, and another red arrow points to the end effector. The bottom photograph shows the device with the slider moved backward, deploying the end effector. A red arrow points to the slider, and another red arrow points to the end effector. The device is labeled 'nasal airway treatment device'.

Claim 9 of the '597 Patent	Neuromark System and Method Using Neuromark System				
[9.b] contacting a treatment element of the treatment device with mucosal tissue in the patient's nasal airway;	Neurent's Neuromark system is used in a method that includes contacting a treatment element of the treatment device with mucosal tissue in the patient's nasal airway. Neurent instructs users to perform such a step. Neurent's Neuromark system has a "target location" of "the nasal cavity in the area of the posterior nasal nerves." Ex. H at 6. The Instructions for Use of the Neuromark system and Neuromark Generator describe "the use of radiofrequency energy on tissue in the nasal airway." Ex. K at 3; Ex. L at 2. Neurent's technical and marketing literature states the Neuromark Device is "advanced to the posterior recesses of the inferior/middle/superior meatus. The distal stage of the end effector is placed in the nasal choanae (posterior to the lateral attachment of the middle turbinate), while the proximal stage is placed in the middle meatus region." Ex. Q at 3. The Instructions for Use of the Neuromark system describes a "Neuromark procedure" that instructs users to perform several "[u]se [s]tep[s]," including "[a]dvanc[ing] the device to the posterior recesses of the inferior/middle/superior meatus under endoscopic guidance," "deploy[ing] the end effector fully," "[e]nsur[ing] that the proximal end of the end effector wraps around the middle turbinate anterior to the attachment of the turbinate to the lateral wall," and "[o]bserv[ing] the apposition status of the device on the GUI . . . to gain optimal apposition" (with blue "indicat[ing] that the leaflet is in contact with the nasal tissue"). Ex. K at 3-4. NEUROMARK™ PROCEDURE <table border="1"> <thead> <tr> <th>Use Step</th> <th>Visual Examples</th> </tr> </thead> <tbody> <tr> <td> 6. Advance the device to the posterior recesses of the inferior/middle/superior meatus under endoscopic guidance (OPTIONAL – If required, carefully manipulate the shaft configuration to reduce / exaggerate the shaft curvature to enhance delivery – see figure 3) </td> <td>  </td> </tr> </tbody> </table>	Use Step	Visual Examples	6. Advance the device to the posterior recesses of the inferior/middle/superior meatus under endoscopic guidance (OPTIONAL – If required, carefully manipulate the shaft configuration to reduce / exaggerate the shaft curvature to enhance delivery – see figure 3)	
Use Step	Visual Examples				
6. Advance the device to the posterior recesses of the inferior/middle/superior meatus under endoscopic guidance (OPTIONAL – If required, carefully manipulate the shaft configuration to reduce / exaggerate the shaft curvature to enhance delivery – see figure 3)					

Claim 9 of the '597 Patent	Neuromark System and Method Using Neuromark System
	9. Move the slider backwards to deploy the end effector fully CAUTION: Ensure that the slider is fully pulled back to allow for full deployment of the end effector 10. Make any necessary minor adjustments to ensure that the device is positioned in the correct anatomical position. Verify the correct position endoscopically. CAUTION: Ensure that the proximal end of the end effector wraps around the middle turbinate anterior to the attachment of the turbinate to the lateral wall. NOTE: The end effector consists of a distal and proximal stage. The leaflets are super elastic and spring out to enforce mucosal apposition on the lateral wall. The multi-stage elastic leaflet set-up accommodates the area of the posterior nasal nerves.  12. Observe the apposition status of the device on the GUI and make any minor adjustments to gain optimal apposition. Blue indicates that the leaflet is in contact with the nasal tissue.  The user of Neurent's Neuromark system then "initiates a bio-impedance check" "to assess[] and confirm contact between the end effector and the treatment area" before "appl[ying] RF energy to mucosal tissue." Ex. H at 5; <i>see also</i> Ex. I at 4 ("[T]he user initiates a bio-impedance check to assess and confirm contact between the End Effector and the treatment area. Once the System confirms contact has been achieved, a subsequent press of the activation button initiates the RF energy delivery cycle."); Ex. K at 1 ("[T]he user initiates a bio-impedance check to assess and confirm contact between the end effector and the treatment area.").

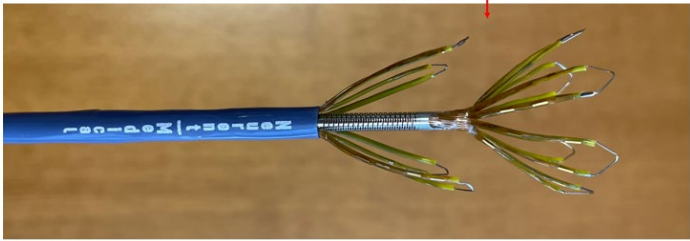
Claim 9 of the '597 Patent	Neuromark System and Method Using Neuromark System
	The Graphical User interface (“GUI”) of the Neuromark system console “indicates when the device is in contact with tissue.” Ex. I at 5; <i>see also</i> Ex. K at 1 (the GUI “indicates when the device is in contact with tissue.”) Neurent’s technical and marketing literature for the Neuromark Device shows the end effector contacting mucosal tissue in the patient’s nasal airway.  Figure 3: NEUROMARK Device with deployed end effector accommodating the area of the posterior nasal nerves. nasal airway treatment device Ex. Q at 3 (red annotations added).
[9.c] delivering an energy based therapy to at least one of the mucosal tissue or an underlying tissue beneath the mucosal tissue,	Neurent’s Neuromark system is used in a method that includes delivering an energy based therapy to at least one of the mucosal tissue or an underlying tissue beneath the mucosal tissue, using the treatment element. Neurent instructs users to perform such a step.

Claim 9 of the '597 Patent	Neuromark System and Method Using Neuromark System								
using the treatment element; and	Neurent's Neuromark system "appl[ies] RF energy to mucosal tissue." Ex. H at 5; <i>see also</i> Neuromark 510(k) (2022) ("application of [RF] energy to create lesions in mucosal tissue"); Ex. L at 2 (the Neuromark Generator "will deliver RF energy to soft mucosal tissue in [ENT] procedures"). The Instructions for Use of the Neuromark Generator state that "[t]he operator initiates RF energy delivery by pressing a button on the Neuromark device." Ex. L at 3. Specifically, "[o]nce the system confirms contact has been achieved, a subsequent press of the button [by the user] initiates the RF delivery cycle." Ex. H at 5; <i>see also</i> Ex. K at 1 ("Once the System confirms contact has been achieved, a subsequent press of the activation button initiates the RF energy delivery cycle.") The Instructions for Use of the Neuromark system describes a "Neuromark procedure" that instructs users to perform several "[u]se [s]tep[s]," including "press[ing] the device activation button for a 2 second hold," which "begins the therapy" and "hold[ing] the device in place while treatment is in progress." Ex. K at 3-4. NEUROMARK™ PROCEDURE <table border="1"> <thead> <tr> <th>Use Step</th> <th>Visual Examples</th> </tr> </thead> <tbody> <tr> <td>12. Observe the apposition status of the device on the GUI and make any minor adjustments to gain optimal apposition. Blue indicates that the leaflet is in contact with the nasal tissue.</td> <td>  </td> </tr> <tr> <td>13. When GUI indicates "ready to treat", press the device activation button for a 2 second hold. This begins the therapy.</td> <td>  </td> </tr> <tr> <td>14. Hold the device in place while treatment is in progress and wait for further message from GUI.</td> <td>  </td> </tr> </tbody> </table>	Use Step	Visual Examples	12. Observe the apposition status of the device on the GUI and make any minor adjustments to gain optimal apposition. Blue indicates that the leaflet is in contact with the nasal tissue.		13. When GUI indicates "ready to treat", press the device activation button for a 2 second hold. This begins the therapy.		14. Hold the device in place while treatment is in progress and wait for further message from GUI.	
Use Step	Visual Examples								
12. Observe the apposition status of the device on the GUI and make any minor adjustments to gain optimal apposition. Blue indicates that the leaflet is in contact with the nasal tissue.									
13. When GUI indicates "ready to treat", press the device activation button for a 2 second hold. This begins the therapy.									
14. Hold the device in place while treatment is in progress and wait for further message from GUI.									

Claim 9 of the '597 Patent	Neuromark System and Method Using Neuromark System
	The Instructions for Use of the Neuromark system also states that it “is intended for the application of [RF] energy to create lesions in the mucosal tissue in [ENT] procedures in patients with chronic rhinitis.” Ex. K at 1; <i>see also</i> Ex. H at 5 (describing the Neuromark system “for creation of [RF] lesions to disrupt posterior nasal nerves in patients with chronic rhinitis.”); Ex. L at 2 (same).
[9.d] removing the treatment element from the nasal airway.	Neurent’s Neuromark system is used in a method that includes removing the treatment element from the nasal airway. Neurent instructs users to perform such a step. The Instructions for Use of the Neuromark system describes a “Neuromark procedure” that instructs users to perform several “[u]se [s]tep[s],” including, after the treatment cycle is completed, “[r]emov[ing] the device from the nasal cavity.” Ex. K at 3-4. NEUROMARK™ PROCEDURE Use Step Visual Examples 16. To treat the other nasal cavity, select “Change Side” Remove the device from the nasal cavity, constrain the end effector by moving the slider forward and introduce the device into the second nasal cavity. Return to Step 10 

II. Claim 14

Claim 14 of the '597 Patent	Neuromark System and Method Using Neuromark System
[14.pre] A method as in claim 9,	See Claim 9.
[14.a] wherein adjusting the shape comprises manipulating a secondary component of the treatment element to increase a surface area of the treatment element.	Neurent's Neuromark system is used in a method wherein adjusting the shape comprises manipulating a secondary component of the treatment element to increase a surface area of the treatment element. Neurent instructs users to perform such a step. As discussed in [9.a], Neurent's Neuromark system is used in a method that includes adjusting a shape of a nasal airway treatment device by operating a slider to deploy the end effector. <i>See</i> [9.a]. The Instructions for Use of the Neuromark system explains that "[t]he leaflets are super elastic and spring out to enforce mucosal apposition on the lateral wall." Ex. K at 3. Photographs of the Neuromark Device show how moving the slider backwards deploys the end effector and increases the surface area of the treatment element. 

Claim 14 of the '597 Patent	Neuromark System and Method Using Neuromark System
	 slider nasal airway treatment device end effector  end effector nasal airway treatment device  end effector nasal airway treatment device

III. Claim 16

Claim 16 of the '597 Patent	Neuromark System and Method Using Neuromark System
[16.pre] A method as in claim 9,	<i>See</i> Claim 9.
[16.a] wherein adjusting the shape comprises forming at least one bend in a shaft of the treatment device.	Neurent's Neuromark system is used in a method wherein adjusting the shape comprises forming at least one bend in a shaft of the treatment device. Neurent instructs users to perform such a step. As discussed in [9.a], Neurent's Neuromark system is used in a method that includes adjusting a shape of a nasal airway treatment device by bending the shaft of the treatment device. <i>See</i> [9.a].

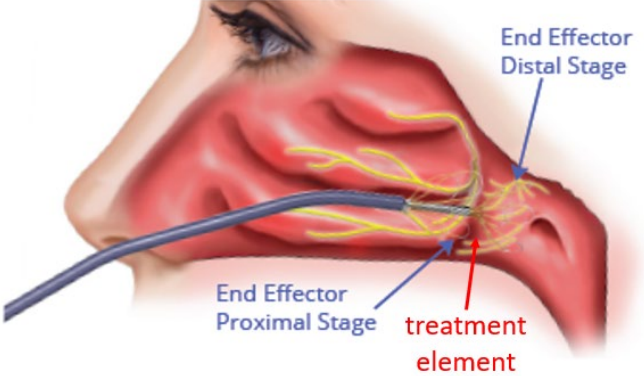
IV. Claim 18

Claim 18 of the '597 Patent	Neuromark System and Method Using Neuromark System
[18.pre] A method as in claim 9,	<i>See</i> Claim 9.
[18.a] wherein delivering the energy based therapy comprises delivering energy in a form selected from the group consisting of ultrasound, microwave, heat, radiofrequency, electrical, light, laser and quantic molecular resonance.	Neurent's Neuromark system is used in a method wherein delivering the energy based therapy comprises delivering energy in a form selected from the group consisting of ultrasound, microwave, heat, radiofrequency, electrical, light, laser and quantic molecular resonance. Neurent instructs users to perform such a step. As discussed in [9.c], the end effector (treatment element) of the Neuromark system delivers an energy based therapy by applying radiofrequency energy. <i>See</i> [9.c].

V. Claim 20

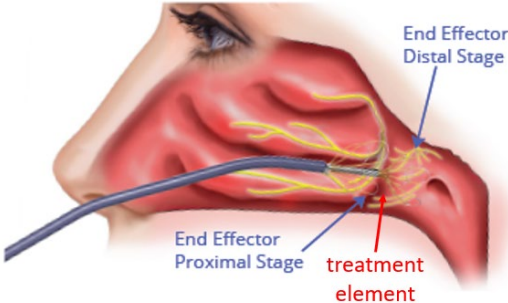
Claim 20 of the '597 Patent	Neuromark System and Method Using Neuromark System
[20.pre] A method as in claim 9,	<i>See</i> Claim 9.
[20.a] wherein the mucosal tissue is located in a part of the nasal airway other than an internal nasal valve of the airway.	Neurent's Neuromark system is used in a method wherein the mucosal tissue is located in a part of the nasal airway other than an internal nasal valve of the airway. Neurent instructs users to perform such a step. As discussed in [9.b], the treatment element of the treatment device contacts mucosal tissue in the patient's nasal airway. <i>See</i> [9.b]. Neurent's technical and marketing literature states that the Neuromark Device is "advanced to the posterior recesses of the inferior/middle/superior meatus. The distal stage of the end effector is placed in the nasal choanae (posterior to the lateral attachment of the middle turbinate), while the proximal stage is placed in the middle meatus region." Ex. Q at 3. The Instructions for Use of the Neuromark system describes a "Neuromark procedure" that instructs users to perform several "[u]se [s]tep[s]," including "[a]dvanc[ing] the device to the posterior recesses of the inferior/middle/superior meatus under endoscopic guidance" and "deploy[ing] the end effector fully," "[e]nsur[ing] that the proximal end of the end effector wraps around the middle turbinate anterior to the attachment of the turbinate to the lateral wall." Ex. K at 3-4.

Claim 20 of the '597 Patent	Neuromark System and Method Using Neuromark System						
	NEUROMARK™ PROCEDURE <table border="1"> <thead> <tr> <th data-bbox="604 329 1213 378">Use Step</th><th data-bbox="1213 329 1623 378">Visual Examples</th></tr> </thead> <tbody> <tr> <td data-bbox="604 410 1213 670"> 6. Advance the device to the posterior recesses of the inferior/middle/superior meatus under endoscopic guidance <i>(OPTIONAL – If required, carefully manipulate the shaft configuration to reduce / exaggerate the shaft curvature to enhance delivery – see figure 3)</i> </td><td data-bbox="1213 410 1623 670">  </td></tr> <tr> <td data-bbox="604 768 1213 1304"> 10. Make any necessary minor adjustments to ensure that the device is positioned in the correct anatomical position. Verify the correct position endoscopically. CAUTION: Ensure that the proximal end of the end effector wraps around the middle turbinate anterior to the attachment of the turbinate to the lateral wall. NOTE: The end effector consists of a distal and proximal stage. The leaflets are super elastic and spring out to enforce mucosal apposition on the lateral wall. The multi-stage elastic leaflet set-up accommodates the area of the posterior nasal nerves. </td><td data-bbox="1213 768 1623 1304">  </td></tr> </tbody> </table> Neurent's technical and marketing literature for the Neuromark Device shows the end effector contacting mucosal tissue in a part of the nasal airway other than an internal nasal valve of the airway.	Use Step	Visual Examples	6. Advance the device to the posterior recesses of the inferior/middle/superior meatus under endoscopic guidance <i>(OPTIONAL – If required, carefully manipulate the shaft configuration to reduce / exaggerate the shaft curvature to enhance delivery – see figure 3)</i>		10. Make any necessary minor adjustments to ensure that the device is positioned in the correct anatomical position. Verify the correct position endoscopically. CAUTION: Ensure that the proximal end of the end effector wraps around the middle turbinate anterior to the attachment of the turbinate to the lateral wall. NOTE: The end effector consists of a distal and proximal stage. The leaflets are super elastic and spring out to enforce mucosal apposition on the lateral wall. The multi-stage elastic leaflet set-up accommodates the area of the posterior nasal nerves.	
Use Step	Visual Examples						
6. Advance the device to the posterior recesses of the inferior/middle/superior meatus under endoscopic guidance <i>(OPTIONAL – If required, carefully manipulate the shaft configuration to reduce / exaggerate the shaft curvature to enhance delivery – see figure 3)</i>							
10. Make any necessary minor adjustments to ensure that the device is positioned in the correct anatomical position. Verify the correct position endoscopically. CAUTION: Ensure that the proximal end of the end effector wraps around the middle turbinate anterior to the attachment of the turbinate to the lateral wall. NOTE: The end effector consists of a distal and proximal stage. The leaflets are super elastic and spring out to enforce mucosal apposition on the lateral wall. The multi-stage elastic leaflet set-up accommodates the area of the posterior nasal nerves.							

Claim 20 of the '597 Patent	Neuromark System and Method Using Neuromark System
	 Figure 3: NEUROMARK Device with deployed end effector accommodating the area of the posterior nasal nerves. nasal airway treatment device Ex. Q at 3 (red annotations added).

VI. Claim 22

Claim 22 of the '597 Patent	Neuromark System and Method Using Neuromark System
[22.pre] A method as in claim 20,	See Claims 9 and 20.
[22.a] wherein the wherein mucosal tissue includes tissue selected from the group consisting of upper lateral cartilage, lower lateral cartilage, nasal septum within the nasal valve, nasal septum outside of the nasal valve, swell	Neurent's Neuromark system is used in a method wherein the mucosal tissue includes tissue selected from the group consisting of upper lateral cartilage, lower lateral cartilage, nasal septum within the nasal valve, nasal septum outside of the nasal valve, swell bodies located on a nasal septum, a septal turbinate, a high deviated nasal septum, a nasal scroll, a floor of the nasal cavity, a piriform area, and swell bodies on a floor of the nasal cavity. Neurent instructs users to perform such a step. See [20.a].

Claim 22 of the '597 Patent	Neuromark System and Method Using Neuromark System
bodies located on a nasal septum, a septal turbinate, a high deviated nasal septum, a nasal scroll, a floor of the nasal cavity, a piriform area, and swell bodies on a floor of the nasal cavity.	Neurent's technical and marketing literature for the Neuromark Device shows the end effector contacting mucosal tissue in at least the piriform area and floor of the nasal cavity.  Figure 3: NEUROMARK Device with deployed end effector accommodating the area of the posterior nasal nerves. nasal airway treatment device Ex. Q at 3 (red annotations added). On information and belief, the end effector likely also contacts mucosal tissue in at least nasal septum outside of the nasal valve, swell bodies located on a nasal septum, a septal turbinate, and swell bodies on a floor of the nasal cavity.

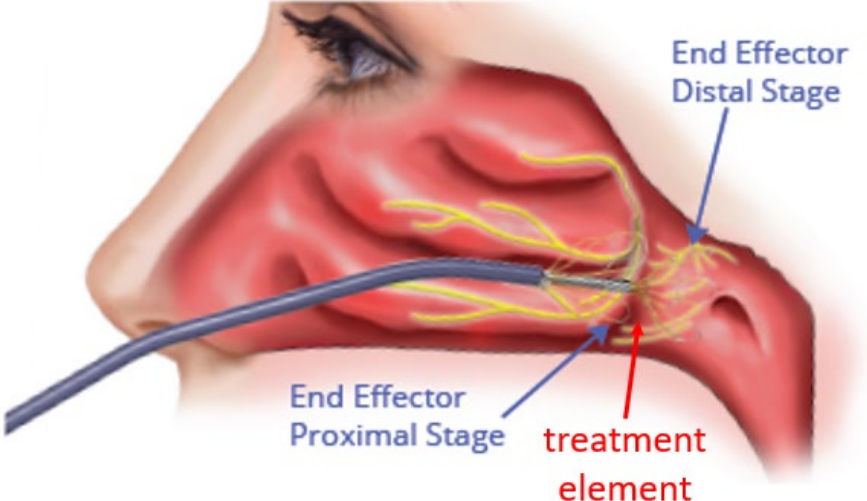
VII. Claim 23

Claim 23 of the '597 Patent	Neuromark System and Method Using Neuromark System
[23.pre] A method as in claim 9,	See Claim 9.
[23.a] further comprising applying force to the mucosal tissue with the treatment element at least one of before, during or after delivering the energy	Neurent's Neuromark system is used in a method comprising applying force to the mucosal tissue with the treatment element at least one of before, during or after delivering the energy based therapy to deform the mucosal tissue. Neurent instructs users to perform such a step. As discussed in [9.a], moving the slider backwards deploys the end effector. See [9.a]. And as discussed in [9.b], the end effector contacts the mucosal tissue. See [9.b].

Claim 23 of the '597 Patent	Neuromark System and Method Using Neuromark System
based therapy to deform the mucosal tissue.	The “end effector” of the Neuromark Device “consists of a distal and proximal stage” and “[t]he leaflets are super elastic and spring out to enforce mucosal apposition on the lateral wall.” Ex. K at 3. The “super elastic” leaflets that “spring out” apply a force to and deform the mucosal tissue.

VIII. Claim 24

Claim 24 of the '597 Patent	Neuromark System and Method Using Neuromark System
[24.pre] A method as in claim 9,	<i>See</i> Claim 9.
[24.a] wherein delivering the energy based therapy modifies at least one property of the mucosal tissue or the underlying tissue without reshaping the tissue.	Neurent’s Neuromark system is used in a method wherein delivering the energy based therapy modifies at least one property of the mucosal tissue or the underlying tissue without reshaping the tissue. Neurent instructs users to perform such a step. As discussed in [9.pre], Neurent’s technical and marketing literature states that using its Neuromark system pursuant to the procedure “disrupts posterior nasal nerves, resulting in disruption of the neural signals, and so addresses the inflammatory process of the nasal mucosa.” Ex. Q at 3. It further states that “[i]nterruption of the posterior nasal nerves has been shown to reduce the symptoms of rhinitis.” Ex. Q at 4. Neurent’s technical and marketing literature for the Neuromark system shows that the treatment is delivered without changing a shape of the tissue.

Claim 24 of the '597 Patent	Neuromark System and Method Using Neuromark System
	 Figure 3: NEUROMARK Device with deployed end effector accommodating the area of the posterior nasal nerves. Ex. Q at 3 (red annotations added). Neurent's technical and marketing literature describes using the Neuromark system in a "minimally invasive" procedure. Ex. Q at 4. Neurent's literature does not describe changing the shape of the tissue. And none of the "[u]se [s]tep[s]" described in the Instructions for Use include changing a shape of the tissue. Ex. K at 3-4.

IX. Claim 44

Claim 44 of the '597 Patent	Neuromark System and Method Using Neuromark System
[44.pre] A method of treating a patient's nasal airway, the method comprising:	<i>See</i> [9.pre].
[44.a] contacting a treatment element of a treatment device with a first mucosal tissue located in a part of the nasal airway other than an internal nasal valve of the airway;	<i>See</i> [9.b], [20.a].
[44.b] delivering an energy based therapy to at least one of the first mucosal tissue or an underlying tissue beneath the first mucosal tissue, using the treatment element; and	<i>See</i> [9.c].
[44.c] removing the treatment element from the nasal airway.	<i>See</i> [9.d].

X. Claim 46

Claim 46 of the '597 Patent	Neuromark System and Method Using Neuromark System
[46.pre] A method as in claim 44,	<i>See</i> Claim 44.
[46.a] wherein the wherein mucosal tissue includes tissue selected from the group consisting of upper lateral cartilage, lower lateral cartilage, nasal septum outside of the nasal valve, swell bodies located on a nasal septum, a septal turbinate, a high deviated nasal septum, a nasal scroll, a floor of the nasal cavity, a piriform area, and swell bodies on a floor of the nasal cavity.	<i>See</i> [22.a].