

**Chart of Petitioner’s Reliance on Pleadings from
Parallel Litigation for Claim Construction**

Citation	Quotation from Petition or Supporting Declaration
Paper 1 (“Pet.”) at 22	In Parallel Litigation, PO asserts that a magnetic element sealed within a rotor is “ <i>rigidly coupled</i> .” Ex.1019, 5–6.
Pet. at 24	In addition, in Parallel Litigation, PO asserts that a magnetic element sealed within a rotor is “ <i>axially adjacent</i> ” to the “ <i>magnetically driven rotor</i> .” Ex.1019, 5. Assuming that interpretation...
Pet. at 27	In Parallel Litigation, PO asserts that a “motor and/or stator” is “ <i>a second magnetic device</i> .” Ex.1019, 7–8 (cleaned up). Assuming that interpretation...
Pet. at 33	In addition, in Parallel Litigation, PO alleges that a “stator” satisfies this limitation for “magnetically driv[ing] rotation of the magnetically driven rotor... via a magneto coupling.” Ex.1019, 9–11. Assuming that interpretation...
Pet. at 58	In Parallel Litigation, PO asserts that a similar arrangement of an impeller and magnetic elements satisfies this limitation. Ex.1019, 5–7. Accordingly...
Pet. at 64–65	In addition, in Parallel Litigation, PO alleges that the “stator” design of Abbott’s HeartMate 3 LVAD pump satisfies this limitation. Ex.1019, 9–11. Assuming that interpretation...
Pet. at 67–68	In Parallel Litigation, PO asserts that a magnetic bearing (“MagLev”) satisfies a similar limitation. <i>See e.g.</i> , Ex.1019, 10–11. Assuming that interpretation...

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Pet. at 97–98	In Parallel Litigation, PO asserts that a magnetic bearing (i.e., “MagLev”) satisfies this limitation. Ex.1019, 10–11. Assuming that interpretation...
Ex. 1003 (“Crosby”) at 87 (¶ 153)	However, I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that assumes “a heart assist pump device” being “deliverable to the heart” includes inserting an inflow tube of the heart assist pump device into a left ventricle of a patient’s heart. <i>See, e.g.</i>, Ex.1019, at 3–4 (Complaint, Ex. 11). For the purposes of my analysis, I adopt that construction of “a heart assist pump device deliverable to the heart.”
Crosby at 96 (¶ 168)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that maps the impeller portion of the “rotor” of the “HeartMate 3” to the “magnetically driven rotor” element recited in Claim 1, which is similar to Claim 11. Ex.1019, at 4–5 (Complaint, Ex. 11). For the purposes of my analysis, I map the limitation of a “magnetically driven rotor” to the “impeller 74” of the embodiment of the rotor 17 described in Figure 11 of Wampler-169 in the same way.
Crosby at 123 (¶ 217)	[F]or the purposes of my analysis in this Ground, I assume that the Patent Owner’s apparent broader construction (in parallel litigation) of “magneto coupling” to also include not only a transfer of torque from one rotating magnetic component to another rotating magnetic component, but also to include “a transfer of torque from one <i>stationary</i> magnetic component (i.e., a stator) to another rotating magnetic component using an <i>electromagnetic field</i>,” is correct. <i>See, e.g.</i>, Ex.1019.

Citation	Quotation from Petition or Supporting Declaration
Crosby at 128 (¶ 229)	I note that in parallel litigation, the Patent Owner has asserted that the blood outflow port of the “HeartMate 3” is positioned such that blood driven by the accused magnetically driven rotor exits the chamber in the same way as described above in Wampler-169. <i>See e.g.</i> , Ex.1019, at 8–9 (Complaint, Ex. 11). For the purposes of my analysis, I also map the limitation that the blood outflow port (e.g., “discharge tube 16”) is positioned such that blood driven by the magnetically driven rotor (e.g., the “impeller 74”) exits the chamber (“casing 14”) in a direction substantially perpendicular to the inflow axis in the same way.
Crosby at 158 (¶ 290)	However, I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that assumes “a heart assist pump device” being “deliverable to the heart” includes inserting an inflow tube of the heart assist pump device into a left ventricle of a patient’s heart. <i>See, e.g.</i> , Ex.1019, at 3–4 (Complaint, Ex. 11). For the purposes of my analysis, I adopt that construction of “a heart assist pump device deliverable to the heart.”
Crosby at 168–169 (¶ 309)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that maps the impeller portion of the “rotor” of the “HeartMate 3” to the “magnetically driven rotor” element recited in Claim 11. Ex.1019, at 5 (Complaint, Ex. 11 for the same limitation of claim 1). For the purposes of my analysis, I map the limitation of a “magnetically driven rotor” to the “impeller” portion of the rotor described in Bourque-2001 in the same way.
Crosby at 188 (¶ 350)	[F]or the purposes of my analysis in this Ground, I assume that the Patent Owner’s apparent broader construction (in parallel litigation) of “magneto coupling” to also include not only a transfer of torque from one rotating magnetic component to another rotating magnetic component, but also to include “a transfer of torque from one <i>stationary</i> magnetic component (i.e., a stator) to another rotating magnetic component using an <i>electromagnetic field</i> ,” is correct. <i>See</i> Ex.1019.

Citation	Quotation from Petition or Supporting Declaration
Crosby at 194 (¶ 361)	I note that in parallel litigation, the Patent Owner has asserted that the blood outflow port of the “HeartMate 3” is positioned such that blood driven by the accused magnetically driven rotor exits the chamber in the same way as described above in Bourque-2001. <i>See</i> Ex.1019, at 8–9 (Complaint, Ex. 11). For the purposes of my analysis, I also map the limitation that the blood outflow port (e.g., “outflow channel”) is positioned such that blood driven by the magnetically driven rotor (e.g., the “impeller” of the rotor) exits the chamber (“volute”) in a direction substantially perpendicular to the inflow axis in the same way.
Crosby at 197–198 (¶ 367)	[F]or the purposes of my analysis in this Ground, I assume that the Patent Owner’s apparent broader construction (in parallel litigation) of “both magnetically driven rotor and the first magnetic device remain spaced apart from the one or more walls by the blood in response to rotation of the magnetically driven rotor” to include not only hydrodynamic suspension of the rotor but also that it may be met by <i>exclusively</i> magnetic suspension, is correct. <i>See</i> Ex.1019.
Crosby at 238 (¶ 436)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that assumes “a heart assist pump device” being “deliverable to the heart” includes inserting an inflow tube of the heart assist pump device into a left ventricle of a patient’s heart. <i>See, e.g.,</i> Ex.1019, at 3–4 (Complaint, Ex. 11). For the purposes of my analysis, I adopt that construction of “a heart assist pump device deliverable to the heart.”
Crosby at 245 (¶ 451)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that maps the impeller portion of the “rotor” of the “HeartMate 3” to the “magnetically driven rotor” element recited in Claim 11. <i>See e.g.,</i> Ex.1019, at 5 (Complaint, Ex. 11). For the purposes of my analysis, I map the limitation of a “magnetically driven rotor” to the “impeller” described in Akamatsu-1999 in the same way.

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Crosby at 267 (¶ 498)	I note that in parallel litigation, the Patent Owner has asserted that the blood outflow port of the “HeartMate 3” is positioned such that blood driven by the accused magnetically driven rotor exits the chamber in the same way as described above in Akamatsu-1999. <i>See</i> [,] <i>e.g.</i> , Ex.1019, at 8–9 (Complaint, Ex. 11). For the purposes of my analysis, I also map the limitation that the blood outflow port (<i>e.g.</i> , “outflow conduit”) is positioned such that blood driven by the magnetically driven rotor (<i>e.g.</i> , the “impeller”) exits the chamber (“blood chamber”) in a direction substantially perpendicular to the inflow axis in the same way.
Crosby at 272–273 (¶ 507)	[F]or the purposes of my analysis in this Ground, I assume that the Patent Owner’s apparent broader construction (in parallel litigation) of “both magnetically driven rotor and the first magnetic device remain spaced apart from the one or more walls by the blood in response to rotation of the magnetically driven rotor” to include not only hydrodynamic suspension of the rotor but also that it may be met by <i>exclusively</i> magnetic suspension, is correct. <i>See</i> Ex.1019.
Crosby at 293 (¶ 551)	However, I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that assumes “a heart assist pump device” being “deliverable to the heart” includes inserting an inflow tube of the heart assist pump device into a left ventricle of a patient’s heart. <i>See</i> Ex.1019, at 3–4 (Complaint, Ex. 11). For the purposes of my analysis, I adopt that construction of “a heart assist pump device deliverable to the heart.”

Citation	Quotation from Petition or Supporting Declaration
Crosby at 324–325 (¶ 613)	I note that in parallel litigation, the Patent Owner has asserted that the blood outflow port of the “HeartMate 3” is positioned such that blood driven by the accused magnetically driven rotor exits the chamber in the same way as described above in Schima. See e.g., Ex.1019, at 8–9 (Complaint, Ex. 11). For the purposes of my analysis, I also map the limitation that the blood outflow port (e.g., “outlet 13”) is positioned such that blood driven by the magnetically driven rotor (e.g., the “rotor 1”) exits the chamber (space between “hollow conical upper part 15” and “the middle part 16” formed by “housing 30”) in a direction substantially perpendicular to the inflow axis in the same way.