

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

Citation	Quotation from Petition or Supporting Declaration
Paper 1 (“Pet.”) at 20	In Parallel Litigation, PO asserts that a magnetic element sealed within a rotor is “ <i>rigidly coupled</i> ” and “ <i>axially adjacent</i> .” Ex.1019, 5–7.
Pet. at 26	In Parallel Litigation, PO asserts that a “motor and/or stator” satisfies this limitation. Ex.1019, 12 (cleaned up). Assuming that interpretation...
Pet. at 44	In Parallel Litigation, PO asserts that a pump device with an inflow cannula <i>is a catheter device</i> . Ex.1019, 3–4. 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, 5–8. Accordingly...
Pet. at 69	In Parallel Litigation, PO asserts that a magnetic bearing (i.e., “MagLev”) satisfies this limitation. Ex.1019, 7–8. Assuming that interpretation...
Pet. at 71	In Parallel Litigation, PO asserts that a fixed speed or lower speed limit (e.g. output as measured in liters of blood per minute) is a “ <i>control value indicative of cardiac output</i> .” Ex.1019, 12. Assuming that interpretation...
Pet. at 76	In Parallel Litigation, PO asserts that a pump device with an inflow cannula <i>is a catheter device</i> . Assuming that interpretation...
Pet. at 103	In Parallel Litigation, PO asserts that a magnetic bearing (i.e., “MagLev”) satisfies this limitation. Ex.1019, 7–8. Assuming that interpretation...

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Pet. at 106	In Parallel Litigation, PO asserts that a fixed speed or lower speed limit is a “ <i>control value indicative of cardiac output.</i> ” Assuming that interpretation...
Pet. at 110	In Parallel Litigation, PO asserts that a pump device with an inflow cannula <i>is a catheter device.</i> Assuming that interpretation...
Pet. at 140	In Parallel Litigation, PO asserts that a pump device with an inflow cannula “ <i>is a catheter device.</i> ” Assuming that interpretation...
Ex. 1003 (“Crosby”) at 99–100 (¶ 153)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that assumes “a heart assist pump device deliverable to the heart” includes “an inflow cannula...inserted into a left ventricle of a patient’s heart.” <i>See</i> Ex.1019, at pp. 3 (Complaint, Ex. 13). For the purposes of my analysis, I adopt that construction of “delivering a heart assist pump device to the heart.”
Crosby at 104 (¶ 160)	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. Ex.1019, at pp. 5–6 (Complaint, Ex. 12). 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 128–129 (¶ 210)	[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.

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Crosby at 144 (¶ 235)	I note that in parallel litigation, the Patent Owner has asserted that the blood outflow port of the “HeartMate 3” is “radially adjacent” to a magnetically driven rotor in the same way as described above in Wampler-169. <i>See</i> Ex.1019, at pp. 10–11 (Complaint, Ex. 13). For the purposes of my analysis, I also map the limitation that the blood outflow port (e.g., “discharge tube 16”) is “radially adjacent” to the guide surfaces of the rotor (e.g., the “impeller 74”) in the same way.
Crosby at 154–155 (¶ 255)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that the Heartmate 3 external control unit is configured to control the operation of the second magnetic device using a control value, such as what Abbott calls a “fixed speed” or “lower speed limit” which is indicative of cardiac output (e.g. output as measured in liters of blood per minute. <i>See, e.g.,</i> Ex.1019, (Complaint, Ex. 13). For the purposes of my analysis, I adopt that construction of “control value indicative of cardiac output.”
Crosby at 169–170 (¶ 296)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that the Heartmate 3 heart assist pump device is a catheter device because it includes a catheter, which Abbott calls an Inflow Cannula. <i>See, e.g.,</i> Ex.1019 (Complaint, Ex. 13). For the purposes of my analysis, I adopt that construction of “catheter device.”
Crosby at 206 (¶ 409)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that assumes “delivering a heart assist pump device to the heart” includes “implant[ing]...a suction end of an inflow tube ...inserted into a left ventricle of a patient’s heart and a magnetically drive rotor...position outside the ventricle.” <i>See</i> Ex.1019 (Complaint, Ex. 13). For the purposes of my analysis, I adopt that construction of “delivering a heart assist pump device to the heart.”

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Crosby at 211 (¶ 416)	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 “rotor” element recited in Claim 1. Ex.1019, at pp. 5 (Complaint, Ex. 13). For the purposes of my analysis, I map the limitation of a “rotor” to the “impeller” portion of the rotor described in Bourque-2001 in the same way.
Crosby at 231 (¶ 456)	[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. See Ex.1019.
Crosby at 244 (¶ 479)	I note that in parallel litigation, the Patent Owner has asserted that the blood outflow port of the “HeartMate 3” is “radially adjacent” to a magnetically driven rotor in the same way as described above in Bourque-2001. <i>See</i> Ex.1019, at (Complaint, Ex. 13). For the purposes of my analysis, I also map the limitation that the blood outflow port (e.g., “outflow channel”) is “radially adjacent” to the guide surfaces of the rotor (e.g., the “impeller” of the rotor) in the same way.
Crosby at 247–248 (¶ 484)	[F]or the purposes of my analysis in this Ground, I assume that the Patent Owner’s apparent broader construction (in parallel litigation) of “the magnetically driven rotor remains entirely spaced apart from the surrounding rotor housing by the blood flowing from the inflow tube and to the blood outflow port” 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.

Citation	Quotation from Petition or Supporting Declaration
Crosby at 252–253 (¶ 493)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that the Heartmate 3 external control unit is configured to control the operation of the second magnetic device using a control value, such as what Abbott calls a “fixed speed” or “lower speed limit” which is indicative of cardiac output (e.g. output as measured in liters of blood per minute. <i>See, e.g.</i> , Ex.1019, Complaint, Ex. 13. For the purposes of my analysis, I adopt that construction of “measurement values indicative of cardiac output.”
Crosby at 267 (¶ 535)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that the Heartmate 3 heart assist pump device is a catheter device because it includes a catheter, which Abbott calls an Inflow Cannula. <i>See, e.g.</i> , Ex.1019 (Complaint, Ex. 13). For the purposes of my analysis, I adopt that construction of “catheter device.”
Crosby at 279–280 (¶ 591)	[F]or the purposes of my analysis in this Ground, I assume that the Patent Owner’s apparent broader construction (in parallel litigation) of “by a gap sized for passage of the blood” 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 313 (¶ 662)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that assumes “a heart assist pump device deliverable to the heart” includes “an inflow cannula...inserted into a left ventricle of a patient’s heart.” <i>See</i> Ex.1019 (Complaint, Ex. 13). For the purposes of my analysis, I adopt that construction of “a heart assist pump device deliverable to the heart.”

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Crosby at 317–318 (¶ 669)	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. See Ex.1019, at pp. 5 (Complaint, Ex. 12). 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.
Crosby at 346 (¶ 728)	I note that in parallel litigation, the Patent Owner has asserted that the blood outflow port of the “HeartMate 3” is “radially adjacent” to a magnetically driven rotor in the same way as described above in Akamatsu-1999. <i>See</i> Ex.1019, (Complaint, Ex. 13). For the purposes of my analysis, I also map the limitation that the blood outflow port (e.g., “outflow conduit”) is “radially adjacent” to the magnetically driven rotor assembly (e.g., the “impeller” and “permanent magnets”) in the same way.
Crosby at 352 (¶ 738)	[F]or the purposes of my analysis in this Ground, I assume that the Patent Owner’s apparent broader construction (in parallel litigation) of “the magnetically driven rotor remains entirely spaced apart from the surrounding stationary housing by the gap sized for passage of the blood” 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 358 (¶ 750)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that the Heartmate 3 external control unit is configured to control the operation of the second magnetic device using a control value, such as what Abbott calls a “fixed speed” or “lower speed limit” which is indicative of cardiac output (e.g. output as measured in liters of blood per minute. <i>See, e.g.,</i> Ex.1019, (Complaint, Ex. 13). For the purposes of my analysis, I adopt that construction of “a control value is indicative of cardiac output.”

Citation	Quotation from Petition or Supporting Declaration
Crosby at 369 (¶ 785)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that the Heartmate 3 heart assist pump device is a catheter device because it includes a catheter, which Abbott calls an Inflow Cannula. <i>See, e.g.</i> , Ex.1019, Complaint, Ex. 13. For the purposes of my analysis, I adopt that construction of “catheter device.”
Crosby at 383 (¶ 843)	[F]or the purposes of my analysis in this Ground, I assume that the Patent Owner’s apparent broader construction (in parallel litigation) of “the magnetically driven rotor remains entirely spaced apart from the surrounding stationary housing by the gap sized for passage of the blood” 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 397 (¶ 887)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that the Heartmate 3 heart assist pump device is a catheter device because it includes a catheter, which Abbott calls an Inflow Cannula. <i>See, e.g.</i> , Ex.1019, Complaint, Ex. 13. For the purposes of my analysis, I adopt that construction of “catheter device.”
Crosby at 399–400 (¶ 895)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that assumes “a heart assist pump device deliverable to the heart” includes “an inflow cannula...inserted into a left ventricle of a patient’s heart.” <i>See</i> Ex.1019, (Complaint, Ex. 13). For the purposes of my analysis, I adopt that construction of “d a heart assist pump device deliverable to the heart.”

Citation	Quotation from Petition or Supporting Declaration
Crosby at 436–437 (¶ 972)	I note that in parallel litigation, the Patent Owner has asserted that the blood outflow port of the “HeartMate 3” is “ <i>radially adjacent</i> ” to a magnetically driven rotor in the same way as described above in Schima. <i>See</i> Ex.1019, (Complaint, Ex. 13). For the purposes of my analysis, I also map the limitation that the blood outflow port (e.g., “outlet 14”) is “ <i>radially adjacent</i> ” to the guide surfaces of the rotor (e.g., the “rotor 1”) in the same way.
Crosby at 445 (¶ 985)	In parallel litigation, however, I have been informed the Patent Owner has asserted a theory of infringement that the Heartmate 3 external control unit is configured to control the operation of the second magnetic device using a measurement value that is indicative of cardiac output, such as what Abbott calls a fixed speed or lower speed limit which is indicative of cardiac output (e.g. output as measured in liters of blood per minute. <i>See, e.g.,</i> Ex.1019 (Complaint, Ex. 13). For the purposes of my analysis, I adopt that construction of “ <i>a control value indicative of cardiac output.</i> ”
Crosby at 459 (¶ 1019)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that the Heartmate 3 heart assist pump device is a catheter device because it includes a catheter, which Abbott calls an Inflow Cannula. <i>See, e.g.,</i> Ex.1019 (Complaint, Ex. 13). For the purposes of my analysis, I adopt that construction of “catheter device.”
Crosby at 485 (¶ 1117)	I have been informed that in parallel litigation, the Patent Owner has asserted a theory of infringement that the Heartmate 3 heart assist pump device is a catheter device because it includes a catheter, which Abbott calls an Inflow Cannula. <i>See, e.g.,</i> Ex.1019 (Complaint, Ex. 13). For the purposes of my analysis, I adopt that construction of “catheter device.”