

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

ABBOTT LABORATORIES,

Petitioner,

v.

MIRACOR MEDICAL SA,

Patent Owner.

---

IPR2025-00116  
Patent 11,754,077

---

**PATENT OWNER MIRACOR MEDICAL SA'S  
OBJECTION TO PETITIONER'S DEMONSTRATIVE**

Pursuant to the Board's Order Setting Oral Argument (Paper 37), Patent Owner Miracor Medical SA files the following objection to Petitioner's Hearing Demonstratives (Ex. 1054). The parties were unable to resolve this objection after meeting and conferring.

Patent Owner objects to the entire page/slide 37 of Exhibit 1054 (reproduced below), which presents new argument based on new evidence not previously discussed in any paper of record (*see* Paper 38 at 3-4 (prohibiting same, citing authorities)), including redirect testimony beyond the scope of Dr. Wieselthaler's direct testimony and cross-examination (37 C.F.R. § 42.53(d)(5)(ii)).

**Deposition of Petitioner's Reply Expert Dr. Wieselthaler:**

**Ex. 2028 (Wieselthaler Tr.), 84:1-85:7**

Q. Can you turn back to Exhibit 1015?

...

A: [Ex.1015] is not a journal article. **This is an abstract, you know, for a presentation** at the ASAIO meeting, you know, in 2004

**Ex. 2028 (Wieselthaler Tr.), 84:1-85:7**

Q: My question was, what is the basis of your statement that everybody knew how the HeartWare HVAD pump looked?

...

A: Okay. So since, actually, **in 2004 Jeff LaRose, you know, was presenting the shape and the size, you know, of the pump of the HeartWare HVAD pump,** you know, at that size -- at that time, it was more or less, you know, evident, you know, to the community, you know, that HeartWare is working on such a pump, you know, with a small size, you know. ... But the pump -- the frozen design of the pump, you know, was around **beginning of 2004, and that's the reason why Jeff LaRose actually could present it at the ASAIO meeting**

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

Ex. 1054  
IPR2025-00116 **38**

IPR2025-00116 (Patent 11,754,077)  
Patent Owner's Objection to Demonstrative

Respectfully submitted,

Date: March 4, 2026

/Joshua P. Larsen/

Joshua P. Larsen

Reg. No. 62,761

*Back-up Counsel for Patent Owner  
Miracor Medical SA*

Barnes & Thornburg LLP  
11 South Meridian Street  
Indianapolis, Indiana 46204  
Telephone: (317) 231-6422  
Facsimile: (317) 231-7433  
E-mail: joshua.larsen@btlaw.com

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on this 4th day of March 2026, I caused a true and correct copy of the foregoing PATENT OWNER MIRACOR MEDICAL SA'S OBJECTION TO PETITIONER'S DEMONSTRATIVE to be served via e-mail on the following counsel for Petitioner:

Scott Border  
sborder@winston.com  
Nimalka R. Wickramasekera  
NWickramasekera@winston.com  
Saranya Raghavan  
sraghavan@winston.com  
Kevin J. Boyle  
kjboyle@winston.com

/Joshua P. Larsen/

---

Joshua P. Larsen  
Reg. No. 62,761

*Back-up Counsel for Patent Owner  
Miracor Medical SA*