

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.**

**Before the Honorable Cameron R. Elliot
Administrative Law Judge**

In the Matter of

**CERTAIN MEDICAL PROGRAMMERS
WITH PRINTED CIRCUIT BOARDS,
COMPONENTS THEREOF, AND
PRODUCTS AND SYSTEMS FOR USE
WITH THE SAME**

Inv. No. 337-TA-1396

G.R. 5.3 FINAL CASE NARROWING DISCLOSURE

Pursuant to Order No. 7 and Ground Rule 5.3, Complainants Medtronic, Inc., Medtronic Logistics, LLC, Medtronic USA, Inc., and Medtronic Puerto Rico Operations Co. (collectively “Medtronic”), Respondent Axonics, Inc. (“Axonics”), and the Commission Investigative Staff respectfully submit this Final Case Narrowing Disclosure.

Medtronic respectfully submits that the claims presently asserted for infringement and domestic industry technical prong are six (6) claims as follows:¹

Patent	Claims (Infringement)
U.S. Patent No. 8,712,540	1-4, 7

Patent	Claims (Domestic Industry)
U.S. Patent No. 8,712,540	1-5, 7

¹ In Order No. 16, the Administrative Law Judge granted Medtronic’s motion to partially terminate the investigation as to claim 17 of the 540 patent, and all claims of the U.S. Patent No. 9,174,059 patent. On September 30, 2024, the Commission determined not to review Order No. 16. Medtronic will be filing a motion to partially terminate the investigation as to the following additional claims of the 540 patent: 5 (infringement only), 11, 12, 14, 15, 18, and 20.

Axonics respectfully submits that the following list of prior art systems and/or products, patents, and publications are asserted in Axonics' invalidity contentions.

- 1) U.S. Patent Application Publication 2006/0265025 A1 ("Goetz") (AXITC00009173-AXITC00009187) (anticipation and/or obviousness)
- 2) U.S. Patent Application Publication 2006/0167496 A1 ("Nelson") (AXITC00009118-AXITC00009131) and Goetz (obviousness)
- 3) U.S. Patent Application Publication 2008/0065181 A1 ("Stevenson") (AXITC00009668-AXITC00009697) and Goetz (obviousness)
- 4) Medtronic InterStim® II Therapy System using the iCon Patient Programmer and the N'Vision Physician Programmer (anticipation and/or obviousness)
- 5) Medtronic RestoreULTRA, MyStim Patent Programmer, and associated N'Vision Physician Programmer (anticipation and/or obviousness)

Axonics reserves the right to cite additional documents to show the background state of the art, knowledge of one of ordinary skill, and motivation to combine, even if such documents were previously also identified as prior art.

Date: October 29, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Liberty M. Quan, hereby certify that copies of the foregoing **G.R. 5.3 FINAL CASE NARROWING DISCLOSURE** was filed and served on **October 29, 2024** on the persons as indicated below.

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