

ESTTA Tracking number: **ESTTA288851**

Filing date: **06/09/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91177234
Party	Plaintiff Cardinal Health 303, Inc.
Correspondence Address	Joseph R. Dreitler Bricker & Eckler LLP 100 S. Third Street Columbus, OH 43215-4291 UNITED STATES mtrue@bricker.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Mary R. True
Filer's e-mail	trademarks@bricker.com
Signature	/Mary R. True/
Date	06/09/2009
Attachments	4Chiero Notice_pdf.pdf (25 pages)(868180 bytes)



Chemo ReadyMED

Description;

- Addition of low flow rate capability for standard ReadyMED
- Expands ReadyMED into chemo, and pain management segments for elastomerics
- Position ReadyMED as cost-effective, and full line elastomeric system
- Significant International upside potential

Forecast;	5 Year Cumulative
Market Share	23% (peak)
Units(000's)	678
Total Revenue (000's)	\$12,660

Notes:



Expand Core Infusion Products into the Alternate Site Market

IV. Continue to pursue distribution opportunities in key product areas.

- Product Opportunities;
 - Ambulatory pump
 - Controlled rate gravity sets (Conmed)
 - Catheter dressing supplies (Venetec)
 - Pole mount pump (NIKI)
 - Telemedicine systems
 - Other (PICC lines)
- Leverage ALARIS reputation/infrastructure
 - Hospital and IHN focus is a strength

Notes:



Key Internal Development Projects - Alternate Site Infusion

- SE Ramp & Taper
- Tristar ASC
- Orion LVP
- Gravity Sets
 - Fixed Rate
- Chemo ReadyMED

Notes:

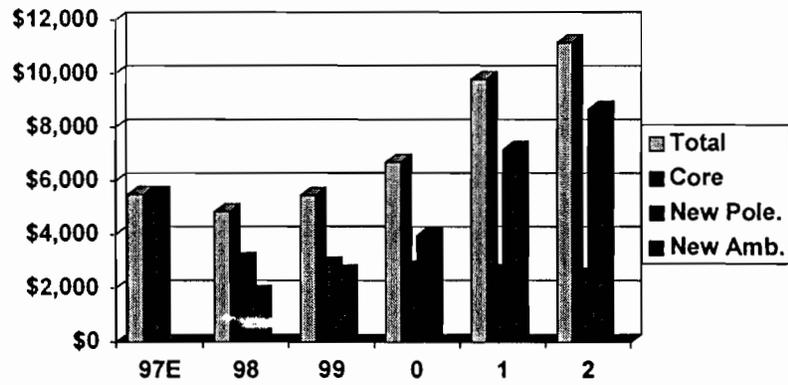


Alternate Site Infusion 5 Year Sales Projections

Notes:



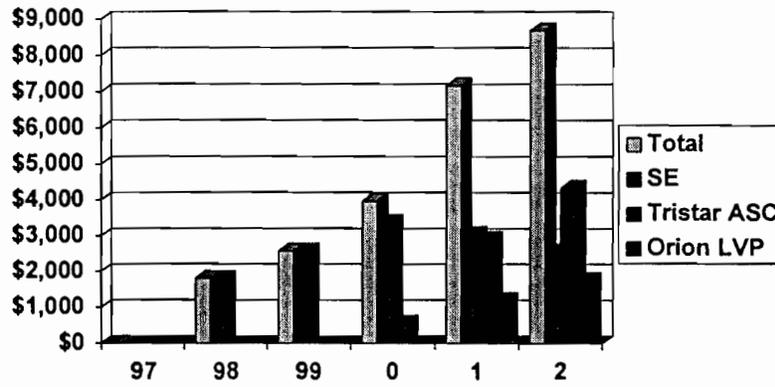
Alternate Site Infusion Pumps and Set Annual Revenue (000's) 1997E - 2002



Notes:



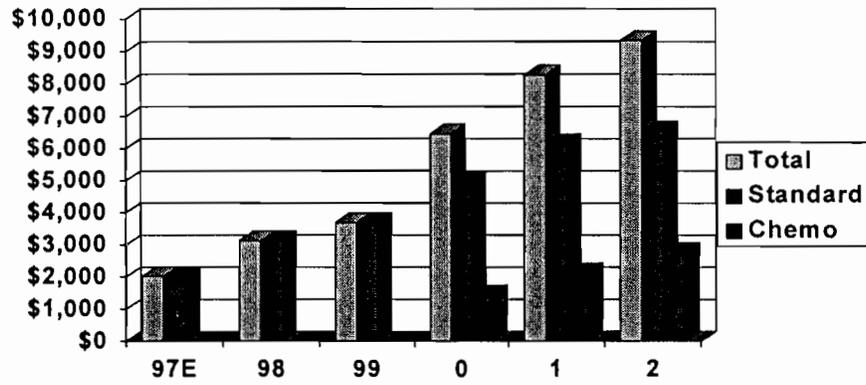
Alternate Site New Pump Forecast Summary By Model



Notes:



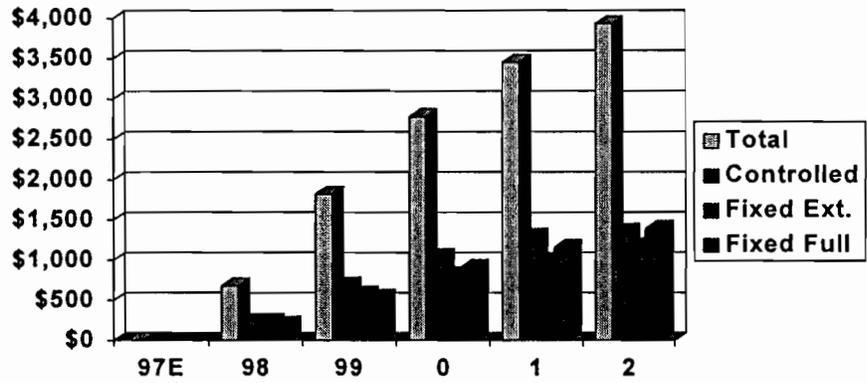
Alternate Site ReadyMED Annual Revenue (000's) 1997E - 2002



Notes:



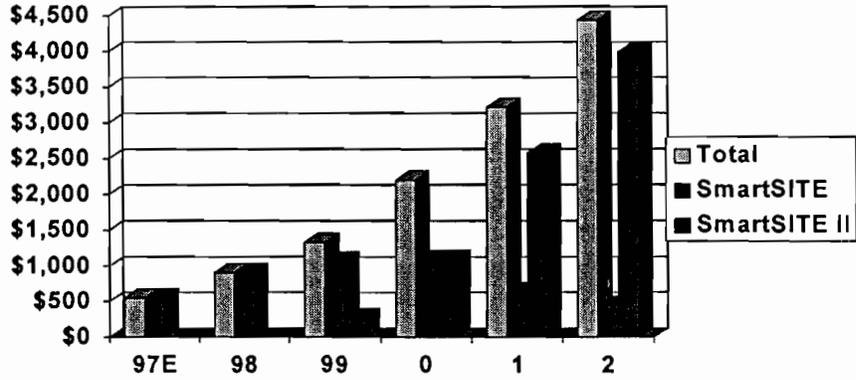
Alternate Site Gravity Control Set Annual Revenue (000's) 1997E - 2002



Notes:



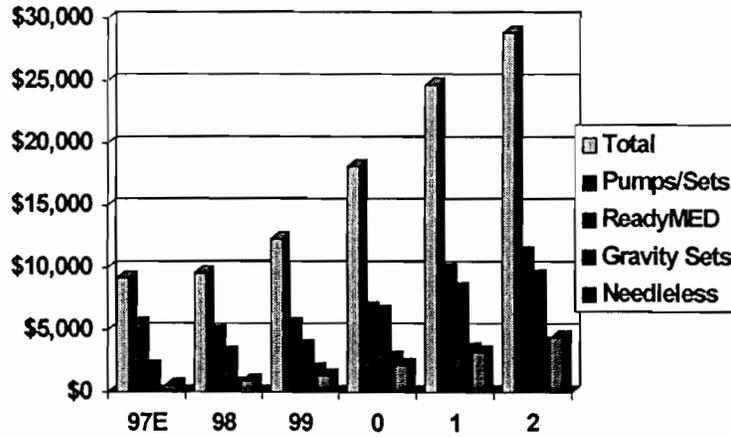
Alternate Site Needleless Components Annual Revenue (000's) 1997E - 2002



Notes:



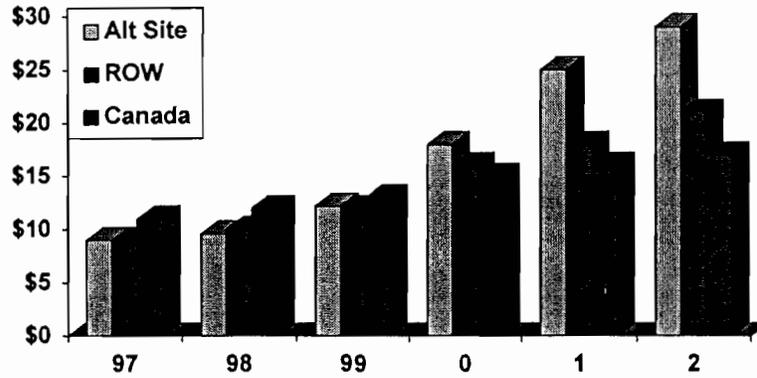
Alternate Site Total Annual Infusion Revenue Forecast (000's) 1997E - 2002



Notes:



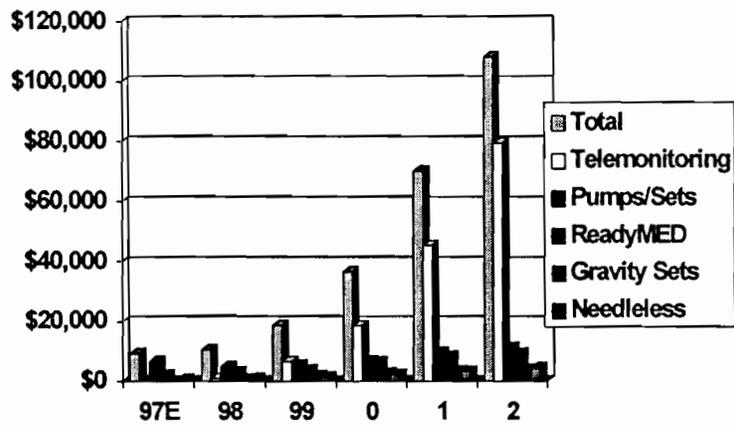
5 Year Plan Comparison- Drug Infusion Revenue Alternate Site, Canada, and ROW (Millions \$)



Notes:



Alternate Site Total Annual Revenue Forecast (000's) 1997E - 2002



Notes:



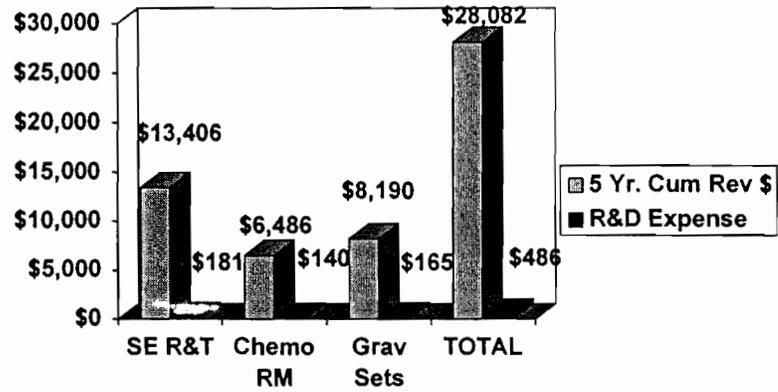
Strategic Objective III.

- Incorporating infusion management capabilities into our telemedicine systems.
 - Develop a communication link between ALARIS infusion systems, i.e. Orion, and the central home monitoring station.
 - Provide a more comprehensive home patient management system.
 - Provide a central patient record system.

Notes:



Year Cumulative Revenues Vs. Development Expense of New Products (\$000's)



Notes:



Alternate Site Strategic Plan Key Initiatives

Notes:



Key Initiatives

- Enter home telemonitoring market.
 - create dedicated marketing position
 - obtain product through business development
 - transition ASM's to telemedicine focus
- Investigate other home monitoring opportunities via business development.
- Link infusion systems (Orion) with home telemedicine system.
 - integrate with patient records and outcomes data

Notes:



Key Initiatives

- Focus Alternate Site infusion sales efforts on Integrated Health Systems and National Accounts.
- Develop Ramp & Taper for SE by Q4 '98.
- Continue efforts to fill key product line gaps via business development.
 - low cost polemount pump (NIKI)
 - ambulatory pump

Notes:



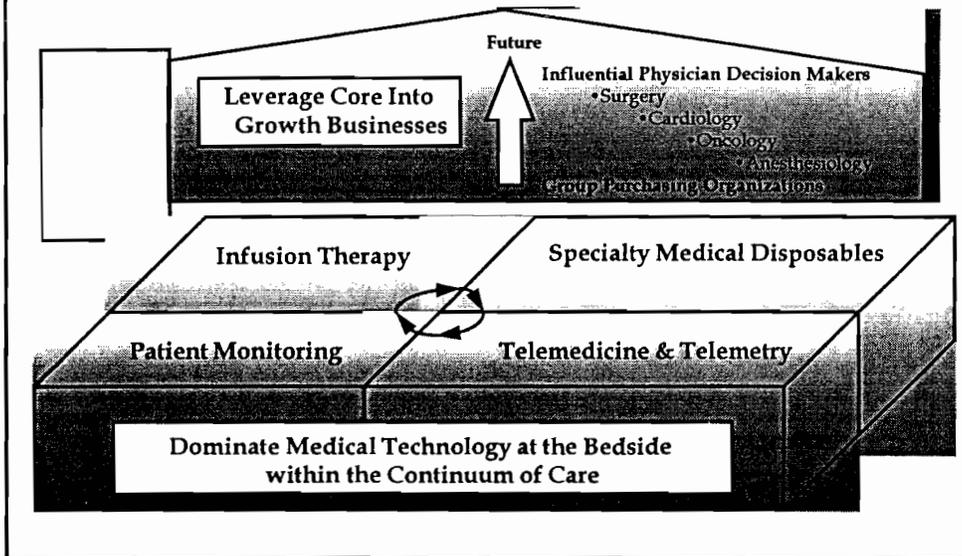
Key Initiatives

- Support and expand disposable product line.
 - provide ReadyMED operational support
 - resource internal development projects
 - continue line expansion efforts via business development
- Incorporate key Alternate Site features into future product platforms.

Notes:



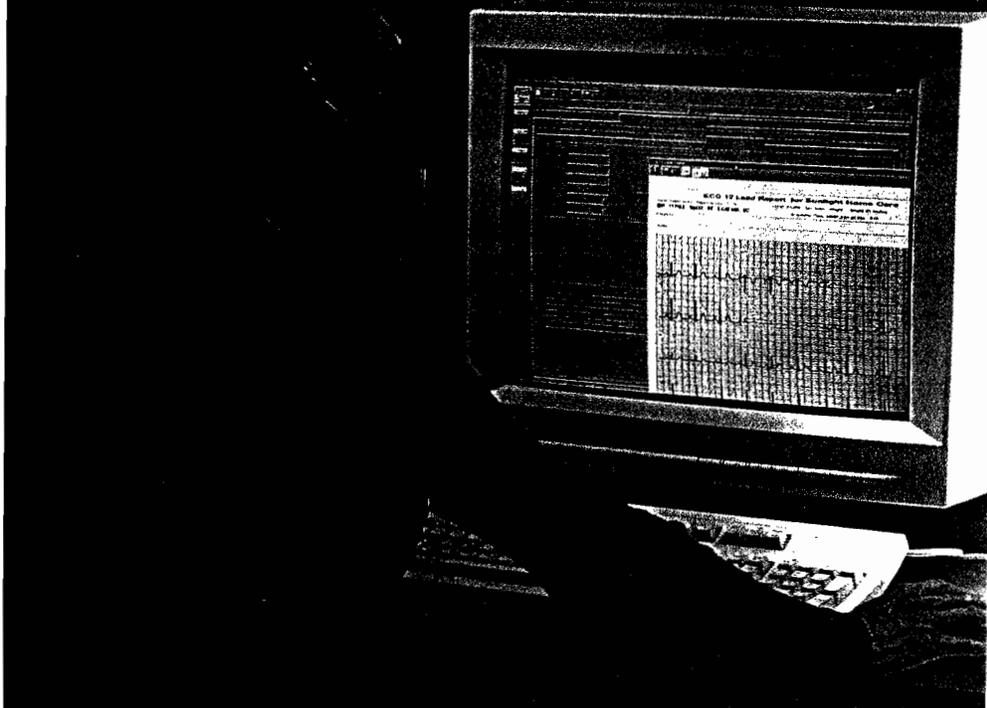
Strategic Vision Directing Business Development Strategy



Notes:

CENTRAL STATION

**A COMPREHENSIVE DATABASE
FOR COST-EFFECTIVE,
STATE-OF-THE-ART
PATIENT MANAGEMENT**



RAPID ACCESS TO PATIENT RECORDS

STANDARDIZES DATA COLLECTION AND REPORTING

RELIABLE WINDOWS NT-BASED SYSTEM

At the heart of the LifeSigns™ System is the Central Station. As part of a powerful patient management system, it contains complete medical profiles for expedient review and analysis on-screen. Patient reports and vital signs data can then be sent by fax for immediate physician evaluation. The Central Station receives, organizes and stores vital information recorded in an out-patient setting. The patient at home, for

example, who is monitored with the LifeSigns Shuttle can record and store such vital information as 12-lead ECG, SpO2 and blood pressure. At any time during the prescribed monitoring period, these vital signs can be automatically downloaded to the Central Station through a telecommunications port called the LifeSigns Commander. A built-in modem provides for continuous voice contact between patient and the attendant at the Central Station while the vital data is being downloaded. With this leading-edge capability, the quality of patient care is enhanced. When the recorded data is received at the Central Station, comparison and assessment are easy and quick to enable early response to changes in patient status. In addition to 12-lead ECG, SpO2 and blood pressure, the patient record is readily accessible on-screen

and includes history and physical assessment, allergies, medications, therapies and progress notes. Current and previous physician orders can be displayed on one screen for convenient reference. Using the intuitive Windows interface, file cabinets, tabs and comment fields open up an array of options. Patient profile and assessment reports are accessed with a single click so that historical and current information can be viewed simultaneously and printed. Another measure of the system's efficiency is its ability to generate individual and batch reports. The Central Station streamlines patient management through state-of-the-art technological advances which deliver an incomparable level of efficiency and cost-savings to the health care network.

SHUTTLE & COMMANDER

**A BREAKTHROUGH
IN TELEMEDICINE
DIAGNOSTIC QUALITY VITAL
SIGNS MONITORING IN AN
OUT-PATIENT SETTING**



PORTABLE AND EASY TO USE

BEDSIDE AND AMBULATORY MONITORING OF 12-LEAD ECG, SpO2 AND NON-INVASIVE BLOOD PRESSURE

The Shuttle and the Commander team up for a breakthrough in telemedicine by delivering hospital grade vital signs monitoring for the patient at home. These two components of the LifeSigns™ System enable rapid access to information necessary for managing patients more efficiently after shortened hospitalizations. Incorporated in

this leading-edge technology are proprietary advanced communications capabilities which allow transmission of the vital signs data to the LifeSigns Central Station.

The Shuttle records and displays vital signs information including 12-lead ECG, blood oxygen saturation (SpO2) and, when used with the Commander, non-invasive blood pressure (NIBP). This patient-worn monitor can be programmed to record vital signs periodically, on demand or automatically if specific vital limits are exceeded.

The Shuttle can store up to 20 recordings before it is necessary to transmit the information to the Central Station, a computerized patient management system. A single recording consists of one 12-lead ECG; up to 60 seconds of three-lead ECG, retrograde or

antegrade; SpO2; and blood pressure. The Commander serves as a transmission link in the chain of communications between the Shuttle and the Central Station and also provides the non-invasive measurement of blood pressure. When placed in the Commander, the Shuttle automatically dials the receiving facility and through the Commander's built-in modem, downloads the vital signs information to the Central Station. A hands-free simultaneous voice connection between patient and the monitoring facility is achieved during data transfer to the Central Station. This enables communication using a standard telephone line between patient and clinician while the transmission is being received and displayed. Patient comfort, peace of mind and compliance are achieved.

Instromedix.

Tools for medicine to help humankind

■ INSTROMEDIX INTRODUCES A BREAKTHROUGH IN TELECARDIOLOGY

October 31, 1997

HILLSBORO, OR. -- Instromedix, Inc., has received U.S. Food & Drug Administration clearance to market its LifeSigns^(TM) System. This advancement in telecardiology could reduce medical costs and improve patient management by providing diagnostic-quality vital signs data in an out-patient setting.

The LifeSigns System enables nurses and physicians to monitor a patient's medical condition from outside the hospital. Unlike other bulkier, more expensive systems which require patients to be continually connected to a bedside monitor and a dedicated phone line, the LifeSigns System allows the patient to move about while the vital signs are collected. The data can then be transmitted over any standard telephone line to the medical facility according to the plan of treatment. The system's proprietary technology also allows for simultaneous voice contact between care-giver and patient during data transmission. A computerized database located at the medical facility contains the patient's complete medical profile.

"The LifeSigns System provides the missing link for home-based monitoring of patients with congestive heart failure, hypertension and other chronic diseases," reports Dr. Robert De Busk, Director of the Cardiovascular Medicine Division and Cardiac Rehab Program at Stanford University School of Medicine. "The vital signs data is of the highest quality."

Designed for the cardiac patient, this powerful System delivers hospital quality 12-lead ECG, pulse oximetry (SPO2) and non-invasive blood pressure (NIBP) measurement. The three-part System includes: 1) the Shuttle, a portable patient monitor about the size of a transistor radio; 2) the Commander, a telecommunications port for direct communication between the patient and medical professional while the vital signs are downloaded; 3) the Central Station, a computerized patient management program. The System is indicated for stabilized patients who may have:

- o Compensated Congestive heart failure
- o A history of myocardial infarction
- o Symptoms of coronary artery disease
- o Cardiac arrhythmias
- o Conditions requiring SpO2 and blood pressure monitoring
- o Stabilized post-op cardiac recovery

The LifeSigns System is intended to complement physician care and can provide timely information for early assessment of changes in a patient's condition. Results from clinical trials lead by Dr. Joseph Messer at Rush-Presbyterian-St. Lukes in Chicago, Illinois, concluded: "With such information, the medical management team can track and trend patients' clinical status at home in a more patient-friendly and lower cost environment."

This technology also addresses the need to reduce the frequency and expense of medical visits. Additionally, patients undergoing drug titration or frequent adjustment of pharmacological therapies may also benefit from home based monitoring.

Instromedix is a privately held international medical company specializing in leading-edge telemedicine solutions to improve the care and treatment of cardiac patients.

###

For additional details contact:
Instromedix Marketing

What's New

HEAD OF BT LABS VISITS INSTROMEDIX

July 24, 1997

HILLSBORO, OR. -- Peter Cochrane, Head of British Telecom Labs (BT Labs), recently met with Instromedix, Inc. to discuss the future of telemedicine. At an afternoon conference, hosted by Instromedix, Professor Cochrane spoke to company managers and executives, as well as community leaders.

A world-renowned authority in telecommunications, Professor Cochrane has authored hundreds of articles and is dedicated to studying future technologies, systems, services and networks. With industry expertise as well as proprietary technological innovations, Professor Cochrane believes Instromedix is in a unique position to impact the future of health care delivery for people worldwide.

In his introduction, Instromedix founder and CEO Herbert J. Semler, MD said, " We are extremely proud and honored to attract someone of Professor Cochrane's stature to Instromedix. It is an incredible milestone in the 28-year history of the company. "

As a result of the meeting, a global Telemedicine Advisory Board was formed with Professor Cochrane as Chairman.

Instromedix is an industry leader in the development of innovative and cost-effective health care systems for rapid diagnosis of cardiac illness.

###

For additional details contact:
Instromedix Marketing
Phone: (503) 681-9000
Fax: (503) 681-8230

 **Instromedix**

Tools for medicine to help humankind

One Technology Center
7431 NE Evergreen Parkway
Hillsboro, Oregon 97124-5898
503-681-9000
800-633-3361
Fax: 503-681-8230
Webmaster: webmaster@instromedix.com



In 1969, Welch Allyn scopes
went to the moon on Apollo II.

Which proves we're no strangers to long-distance diagnostics.

For over 80 years, Welch Allyn has brought quality and innovation to medical diagnostic instrumentation.

Now, we've used our vast experience to

create a fully-integrated line of video peripherals for telemedicine.

Welch Allyn offers high-quality video ophthalmoscopes, episcope and otoscopes.

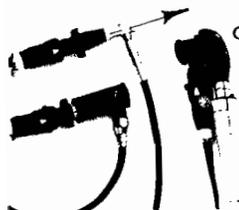
Together with our with our state-of-the-art LCI-200 compact imaging system, they provide the industry's most superior images — exactly what you need for effective long-distance diagnostics. For more information on our entire line of



high-quality instruments, contact Welch Allyn at 1-800-844-1996 today. It's one small step that'll give you a giant leap into the future of telemedicine.

WelchAllyn™

Distributed by: American Medical Development



P

roviding
patient-friendly
assistance that enhances
compliance

