

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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TARGET CORPORATION  
Petitioner

v.

DESTINATION MATERNITY CORPORATION  
Patent Owner

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Case No. IPR2013-00532  
Patent RE43,531

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Dated: September 16, 2014

Before JENNIFER S. BISK, MICHAEL J. FITZPATRICK, and  
MITCHELL G. WEATHERLY, *Administrative Patent Judges*.

**PATENT OWNER'S OPPOSITION TO PETITIONER'S MOTION TO  
EXCLUDE EVIDENCE PURSUANT TO 37 C.F.R. § 42.64(c)**

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## LIST OF EXHIBITS

EXHIBIT 1007	Certified file history for RE43,563
EXHIBIT 1018	US RE43,531 Hendrickson
EXHIBIT 1078	Transcript of 7-16-2014 Brookstein Deposition
EXHIBIT 1110	Declaration of Vince Thomas
EXHIBIT 1114	Brookstein SKUs
EXHIBIT 2001	October 19, 2007 blog post on The Mommy Playbook
EXHIBIT 2002	July 31, 2008 blog post on Mamanista!
EXHIBIT 2007	May 31, 2008 blog post on Everyday Becky
EXHIBIT 2008	July 15, 2008 Review: Secret Fit Belly Jeans from Motherhood Maternity
EXHIBIT 2009	January 30, 2008 blog post on Pinching Your Pennies Forums
EXHIBIT 2010	October 28, 2008 blog post on The Shy Girl's Guide to Pregnancy and Parenting
EXHIBIT 2011	October 3, 2008 blog post on Mamapedia
EXHIBIT 2012	January 2008 blog post on The Bump
EXHIBIT 2013	October 15, 2008 blog post on Pregnant Fashionista
EXHIBIT 2014	August 2008 blog post on Libby's Latest
EXHIBIT 2015	January 6, 2009 blog post on Keeping the Kingdom First
EXHIBIT 2016	May 21, 2009 blog post on Pregnant Fashionista
EXHIBIT 2017	Declaration of David Brookstein, Sc.D.

EXHIBIT 2022 UNDER SEAL Declaration of Philip Green

EXHIBIT 2029 REDACTED Declaration of Philip Green

EXHIBIT 2046 DMC0037084

EXHIBIT 2048 DMC0119452

EXHIBIT 2049 DMC0031997

EXHIBIT 2050 <http://www.motherhood.com/maternity/secret-fit-belly.asp>

EXHIBIT 2051 [http://www.motherhood.com/Shop\\_Motherhood  
Maternity/SecretFitBelly-Testimonials.asp](http://www.motherhood.com/Shop_Motherhood_Maternity/SecretFitBelly-Testimonials.asp)

EXHIBIT 2054 UNDER SEAL Supplemental Declaration of Philip Green  
(Served not filed)

EXHIBIT 2055 REDACTED Supplemental Declaration of Philip Green  
(Served not filed)

EXHIBIT 2056 UNDER SEAL Secret Fit Belly Historical Sales & GM.xls

EXHIBIT 2064 UNDER SEAL Figures 2 and 3 of the Green Declaration

EXHIBIT 2065 REDACTED Figures 2 and 3 of the Green Declaration

EXHIBIT 2066 Exhibit A of the Green Declaration

EXHIBIT 2067 Exhibit B of the Green's Declaration

EXHIBIT 2068 UNDER SEAL Exhibit C of the Green Declaration

EXHIBIT 2069 REDACTED Exhibit C of the Green Declaration

EXHIBIT 2070 UNDER SEAL Exhibit D of Green's Declaration

EXHIBIT 2071 REDACTED Exhibit D of the Green Declaration

EXHIBIT 2072 UNDER SEAL Exhibit D1 of the Green Declaration

EXHIBIT 2073 REDACTED Exhibit D1 of the Green Declaration

EXHIBIT 2083 [www.destinationmaternity.com/maternity/secret-fit-belly.asp](http://www.destinationmaternity.com/maternity/secret-fit-belly.asp)

EXHIBIT 2096 Affidavit of Trudi Haaf – June 4, 2014

EXHIBIT 2099 UNDER SEAL Thomas Transcript

EXHIBIT 2102 Affidavit of Trudi Haaf – May 21, 2014

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