

Served on behalf of: Gold Standard Instruments, LLC

Paper _____

By: Joseph A. Hynds, Lead Counsel Date filed: February 3, 2016

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

US ENDODONTICS, LLC,
Petitioner,

v.

GOLD STANDARD INSTRUMENTS, LLC,
Patent Owner.

Case IPR2015-00632
Patent 8,727,773 B2

PATENT OWNER'S SECOND SET OF OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner Gold Standard

Instruments, LLC, objects to the following evidence submitted by Petitioner with its Reply In Support of Petition for *Inter Partes* Review (Paper No. 57).

Evidence Submitted by Petitioner	Patent Owner's Objections
Ex. 1032 (Order Denying Motion for Preliminary Injunction)	This exhibit is objected to as irrelevant to the grounds upon which trial has been instituted, untimely, and unfairly prejudicial (FRE 401-403). This exhibit is objected to as improper hearsay for which US Endo has not established any exception (FRE 801).
Ex. 1033 (Acknowledgment of Deponent and Errara Sheet from Nov. 12, 2014 Deposition of Neill H. Luebke)	This exhibit is objected to as irrelevant to the grounds upon which trial has been instituted, untimely, and unfairly prejudicial (FRE 401-403).
Ex. 1035 (U.S. Patent No. 6,431,863 to Sachdeva et al.)	This exhibit is objected to as irrelevant to the grounds upon which trial has been instituted, untimely, and unfairly prejudicial (FRE 401-403). This exhibit is objected to as improper hearsay for which US Endo has not established any exception (FRE 801).
Ex. 1037 (U.S. Patent No. 6,149,501 to Farzin-Nia et al.)	This exhibit is objected to as irrelevant to the grounds upon which trial has been instituted, untimely, and unfairly prejudicial (FRE 401-403). This exhibit is objected to as improper hearsay for which US Endo has not established any exception (FRE 801).

Evidence Submitted by Petitioner	Patent Owner's Objections
Ex. 1041 (<i>Dentsply Int'l and Tulsa Dental Prods. LLC d/b/a Tulsa Dental Specialties v. US Endodontics, LLC</i> , No. 2:14-cv-196, Deposition Transcript of Neill H. Luebke, dated Oct. 8, 2014 (E.D. Tenn.), pp. 1 and 199)	This exhibit is objected to as irrelevant to the grounds upon which trial has been instituted, untimely, and unfairly prejudicial (FRE 401-403). This exhibit is objected to as improper hearsay for which US Endo has not established any exception (FRE 801).

The foregoing objections are made within 5 business days of service of evidence in accordance with 37 C.F.R. § 42.64(b)(1).

Respectfully submitted,

Dated: February 3, 2016

By: / Jason M. Nolan /

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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of February, 2016, a true and correct copy of the foregoing PATENT OWNER'S SECOND SET OF OBJECTIONS TO EVIDENCE was served, via electronic mail upon the following counsel of record for Petitioner US Endodontics, LLC:

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