

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

E. I. DU PONT DE NEMOURS AND COMPANY and
ARCHER-DANIELS-MIDLAND COMPANY,
Petitioners,

v.

FURANIX TECHNOLOGIES B.V.,
Patent Owner

Case IPR2015-01838
Patent 8,865,921

**PATENT OWNER'S SECOND OBJECTIONS TO EVIDENCE
SUBMITTED BY PETITIONERS**

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner, Furanix Technologies B.V. (“Furanix”) objects to the admissibility of the following exhibits filed by Petitioners.

In this paper, a reference to “FRE” means the Federal Rules of Evidence, a reference to “CFR” means the Code of Federal Regulations, and “’921 patent” means U.S. Patent No. 8,865,921.

Furanix’s objections are as follows:

Exhibit 1027 (U.S. 8,558,018)

Patent Owner objects to Exhibit 1027 under FRE 802 (hearsay). Patent Owner also objects to Exhibit 1027 under FRE 402 (relevance) and FRE 403 (confusing, waste of time) at least because (i) the document is not relevant to any issue in this IPR proceeding because the disclosure is not prior art and/or Petitioner has not met its burden to show U.S. 8,558,018 to be prior art, and (ii) the grounds on which U.S. 8,558,018 was submitted have not been instituted.

Exhibit 1028 (Kreile et al., translation, and Certification of Donald W. Hanley)

Patent Owner objects to Exhibit 1028 under FRE 802 (hearsay). Patent Owner objects to the exhibit under FRE 604 (interpreter), FRE 901 (authentication), and 37 CFR § 42.63(b) because the translation that forms part of the exhibit is lacking a proper oath or affirmation that the translation is true and

accurate. Patent Owner further objects to the certification provided as part of Exhibit 1028 under FRE 602 (lacking personal knowledge). Patent Owner also objects to Exhibit 1028 under FRE 402 (relevance), FRE 403 (confusing, waste of time), FRE 702 (improper expert testimony), and for lack of foundation at least because the document is not relevant to any issue in this proceeding and the document (and the related Exhibit 1014) is not cited or discussed in the Declaration of Dr. Kevin J. Martin (Exhibit 1009).

Exhibit 1029 (Kirk-Othmer Encyclopedia of Chemical Terminology)

Patent Owner objects to Exhibit 1029 under FRE 802 (hearsay). Patent Owner also objects to Exhibit 1029 under FRE 402 (relevance) and FRE 403 (confusing, waste of time). Patent Owner objects to Exhibit 1029 under FRE 702 (improper expert testimony) and FRE 703 (bases of expert opinion) because the document is not of a type reasonably relied upon by experts in the field.

Exhibit 1030 (Lewkowski and Declaration of Eric Scriven)

Patent Owner objects to Exhibit 1030 under FRE 802 (hearsay) and FRE 901 (lacking authentication). Patent Owner objects to Exhibit 1030 under FRE 402 (relevance) and FRE 403 (confusing, waste of time). Patent Owner also objects to Exhibit 1030 under FRE 702 (improper expert testimony) and FRE 703 (bases of

expert opinion) because the document is not of a type reasonably relied upon by experts in the field.

Dated: April 13, 2016

Respectfully submitted,

/ Paul M. Richter /

Paul M. Richter

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing “PATENT OWNER’S
SECOND OBJECTIONS TO EVIDENCE SUBMITTED BY PETITIONERS”
was served via email as follows:

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Dated: April 13, 2016

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