

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NEPTUNE GENERICS, LLC,

PETITIONER,

V.

ELI LILLY & COMPANY,

PATENT OWNER.

Case IPR2016-00240

Patent 7,772,209

**PETITIONER'S OBJECTIONS TO EVIDENCE SUBMITTED
DURING THE PRELIMINARY PROCEEDING
PURSUANT TO 37 C.F.R. § 42.64(B)(1)**

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner objects as follows to the admissibility of evidence submitted during the preliminary proceeding:

Evidence	Petitioner's Objections
Exs. 2001, 2003, 2004, 2005, 2006, 2008, 2009, and 2010	Hearsay

The above-listed documents should be excluded because they are hearsay and Patent Owner cannot establish a hearsay exception for admissibility. *See* Fed. R. Evid. 801(c)(2) (“‘Hearsay’ means a[n out-of-court] statement that: . . . (2) a party offers in evidence to prove the truth of the matter asserted in the statement.”).

June 17, 2016

Respectfully Submitted,

/Sarah E. Spires/

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that I caused to be served on the counsel for Patent Owner a true and correct copy of the Petitioner’s Objections to Evidence Submitted During the Preliminary Proceeding Pursuant to 37 C.F.R. § 42.64(b)(1), by electronic means on June 17, 2016 at the following addresses of record:

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