

IPR2017-01035
Petitioner's Evidentiary Objections

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,
Petitioner,

v.

COSMO TECHNOLOGIES LIMITED,
Patent Owner.

Case IPR2017-01035
Patent 9,320,716 B2

PETITIONER'S EVIDENTIARY OBJECTIONS
PURSUANT TO 37 C.F.R. § 42.64

Petitioner's Evidentiary Objections

Pursuant to 37 C.F.R. § 42.64, Petitioner Mylan Pharmaceuticals Inc. ("Petitioner" or "Mylan") asserts and attaches hereto its evidentiary objections to the exhibits accompanying Patent Owner's paper entitled Patent Owner's Preliminary Patent Owner Response Under 37 C.F.R. § 42.107 (Paper No. 7). Petitioner preserves the right to further object to material in Patent Owner's exhibits if further material from the exhibits is incorporated to Patent Owner's submissions and arguments, thereby making objections relevant to the proceeding.

KEY	
Objection	Basis
Relevance	Exhibit is objected to in its entirety, and with respect to the specific portions on which Patent Owner relies, pursuant to Fed. R. Evid. 401 and/or 402 as irrelevant.
Hearsay	Exhibit is objected under FRE 802 as containing inadmissible hearsay to the extent Patent Owner relies on this exhibit for the truth of the statements set forth therein.
Footnote 5	Exhibit is objected to in its entirety, and with respect to the specific portions on which Patent Owner relies, pursuant to Footnote 5 of the Decision to Institute (Paper No. 17).
Authenticity	Lack of authenticity and/or identification
FRE 702	Exhibit does not comply with Fed. R. Evid. 702-703

Exhibit No.	Preliminary Response Location	Objections
2003	6, 34, 36	Relevance Hearsay Footnote 5
2005	10	Relevance
2006	10, 63	Relevance
2011	18, 22, 23	Relevance
2012	18	Relevance

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Exhibit No.	Preliminary Response Location	Objections
2016	20	Relevance FRE702
2023	32	Relevance
2025	6, 34-36	Relevance Hearsay Footnote 5
2030	65	Relevance
2031	66	Relevance
2034	9, 10	Authenticity

Respectfully submitted,

Date: October 5, 2017

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CERTIFICATION OF SERVICE ON PATENT OWNER

The undersigned hereby certifies that the foregoing document entitled PETITIONER'S EVIDENTIARY OBJECTIONS PURSUANT TO 37 C.F.R. § 42.64 was served electronically via e-mail on October 5, 2017 to Patent Owner's counsel of record upon the following:

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