

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Celltrion, Inc.
Petitioner,

v.

Genentech, Inc.
Patent Owner

Patent No. 6,407,213

Inter Partes Review No. IPR2017-01373

**CELLTRION'S AMENDED REPLY IN SUPPORT OF ITS
MOTION TO EXCLUDE EVIDENCE**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

II. Exhibits 2014 and 2015 Should Be Excluded

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

III. Portions of Exhibits 2016, 2017, and 2018 Should Be Excluded

As explained in Petitioner's Motion to Exclude, Portions of Exhibits 2016-2018 should be excluded because they rely on otherwise inadmissible evidence, as described above regarding Exhibits 2001-2009. (Paper 63 at 6-7.)

Portions of Exhibit 2016 should also be excluded because they lack foundation under Federal Rule of Evidence 602. Simply because these scientists worked closely with one another and were in communication does not provide an evidentiary basis to establish Dr. Presta's personal knowledge of facts that Dr. Carter knew. Patent Owner could have offered testimony from Dr. Carter himself concerning his knowledge of the relevant facts but failed to do so.

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