

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

PFIZER, INC.,  
Petitioner,

v.

GENENTECH, INC.,  
Patent Owner.

---

Case IPR2017-01488  
Patent 6,407,213

---

**PETITIONER'S OBJECTIONS TO ADMISSIBILITY OF EVIDENCE**

Petitioner's Objections to Admissibility Of Evidence for IPR2017-01488

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

Exhibit(s)	Objection(s) <sup>1</sup>
2001	<p><b>FRE 106:</b> To the extent this exhibit introduces only part of a writing, fairness requires the introduction of the remainder of the writing.</p> <p><b>FRE 401/402:</b> This document is irrelevant. Patent Owner has failed to identify any fact of consequence in determining an issue in this proceeding that is made more or less probable by this exhibit.</p> <p><b>FRE 403:</b> Any probative value of the exhibit is substantially outweighed by a danger of confusing the issues.</p> <p><b>FRE 801/802:</b> The exhibit relies on hearsay if offered to prove the truth of any matter allegedly asserted therein, and does not fall under any exceptions.</p> <p><b>FRE 901/902:</b> Patent Owner has not produced evidence sufficient to support a finding that the exhibit is what Patent Owner claims it is. Nor has Patent Owner presented any</p>

<sup>1</sup> References to "FRE" are to the Federal Rules of Evidence.

Exhibit(s)	Objection(s) <sup>1</sup>
	<p>evidence that the exhibit is self-authenticating under FRE 902.</p> <p><b>FRE 1002/1003:</b> Patent Owner has not shown this exhibit is the original document or an authentic duplicate.</p> <p><b>Lack of Foundation:</b> Patent Owner has not provided sufficient explanation of what the evidence allegedly shows.</p>
2002	<p><b>FRE 106:</b> To the extent this exhibit introduces only part of a writing, fairness requires the introduction of the remainder of the writing.</p> <p><b>FRE 401/402:</b> This document is irrelevant. Patent Owner has failed to identify any fact of consequence in determining an issue in this proceeding that is made more or less probable by this exhibit.</p> <p><b>FRE 403:</b> Any probative value of the exhibit is substantially outweighed by a danger of confusing the issues.</p> <p><b>FRE 801/802:</b> The exhibit relies on hearsay if offered to prove the truth of any matter allegedly asserted therein, and does not fall under any exceptions.</p>

Exhibit(s)	Objection(s) <sup>1</sup>
	<p><b>FRE 901/902:</b> Patent Owner has not produced evidence sufficient to support a finding that the exhibit is what Patent Owner claims it is. Nor has Patent Owner presented any evidence that the exhibit is self-authenticating under FRE 902.</p> <p><b>FRE 1002/1003:</b> Patent Owner has not shown this exhibit is the original document or an authentic duplicate.</p> <p><b>Lack of Foundation:</b> Patent Owner has not provided sufficient explanation of what the evidence allegedly shows.</p>
2003	<p><b>FRE 401/402:</b> This document is irrelevant. Patent Owner has failed to identify any fact of consequence in determining an issue in this proceeding that is made more or less probable by this exhibit.</p> <p><b>FRE 403:</b> Any probative value of the exhibit is substantially outweighed by a danger of confusing the issues.</p> <p><b>FRE 801/802:</b> The exhibit relies on hearsay if offered to prove the truth of any matter allegedly asserted therein, and does not fall under any exceptions.</p>

Exhibit(s)	Objection(s) <sup>1</sup>
	<p><b>FRE 901/902:</b> Patent Owner has not produced evidence sufficient to support a finding that the exhibit is what Patent Owner claims it is. Nor has Patent Owner presented any evidence that the exhibit is self-authenticating under FRE 902.</p> <p><b>FRE 1002/1003:</b> Patent Owner has not shown this exhibit is the original document or an authentic duplicate.</p> <p><b>Lack of Foundation:</b> Patent Owner has not provided sufficient explanation of what the evidence allegedly shows.</p>
2004	<p><b>FRE 401/402:</b> This document is irrelevant. Patent Owner has failed to identify any fact of consequence in determining an issue in this proceeding that is made more or less probable by this exhibit.</p> <p><b>FRE 403:</b> Any probative value of the exhibit is substantially outweighed by a danger of confusing the issues.</p> <p><b>FRE 801/802:</b> The exhibit relies on hearsay if offered to prove the truth of any matter allegedly asserted therein, and does not fall under any exceptions.</p>

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.