

Filed on behalf of Patent Owner Genentech, Inc. by

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BOEHRINGER INGELHEIM PHARMACEUTICALS, INC.,
Petitioner,

v.

GENENTECH, INC.,
Patent Owner.

Case IPR2017-02031
U.S. Patent 6,407,213

**PATENT OWNER'S OBJECTIONS TO EVIDENCE
PURSUANT TO 37 C.F.R. § 42.64**

Pursuant to 37 C.F.R. § 42.64, Patent Owner Genentech, Inc. presents the following objections to evidence served with Petitioner Boehringer Ingelheim Pharmaceuticals, Inc.'s Petition.

Patent Owner objects to Exhibit 1003, Declaration of Dr. Geoffrey Hale, Ph.D. Patent Owner specifically objects to ¶¶ 26-34, 42-43, 45-46, 48-49, 55-56, 69, 74-75, 77-83, 85-106, 110, 114-116, 119, 123-124, 126-127, 129, 132-133, 135-136, 145-150, 152-153, 155-160, 162-166, 168, 171-178, 180, 182-183, 185-186, 188-191, 193-203, 205, 207-209, 211-213, 215-223, 225-227, 229-236, 238-244, 246-247, 249-277, 279-289, 291-302, 304-308, 310-314, 316-324, 326-337, 339-355 and all paragraphs that rely on those paragraphs as lacking a disclosed basis of sufficient facts or data (FRE 705; 37 C.F.R. § 42.65), not being based on sufficient facts or data, the product of reliable principles and methods, and/or a reliable application of the principles and methods to the facts (FRE 702, 703), and being misleading and/or confusing (FRE 403). Patent Owner also specifically objects to ¶¶ 27-32, 34, 106-122, 133-141, 144-227, 252-318, 347-352, and all paragraphs that rely on those paragraphs as irrelevant (FRE 402) in view of the denial of institution for certain grounds in the Institution Decision (Paper 19 at 25).

Patent Owner objects to Exhibit 1003C in its entirety as lacking a disclosed basis of sufficient facts or data (FRE 705; 37 C.F.R. § 42.65), not being based on sufficient facts or data, the product of reliable principles and methods, and/or a

reliable application of the principles and methods to the facts (FRE 702, 703), and being misleading and/or confusing (FRE 403).

Patent Owner objects to Exhibit 1024, Marks, L., *The Story of Cesar Milstein and Monoclonal Antibodies: A Healthcare Revolution in the Making* at <http://www.whatisbiotechnology.org/exhibitions/milstein>, as lacking proper authentication (FRE 901).

Patent Owner objects to Exhibit 1030, "Protein Data Bank – Chronology," at https://www.nsf.gov/news_summ_jsp?cntn_id=100689, as lacking proper authentication (FRE 901).

Patent Owner objects to Exhibit 1039, *SEER Fact Sheets: Breast Cancer*, at <http://seer.cancer.gov/statfacts/html/breast.html>, as lacking proper authentication (FRE 901).

Patent Owner objects to Exhibit 1074, Accelrys Inc., at <http://accelrys.com/micro/insight/insight.html>, as lacking proper authentication (FRE 901).

Patent Owner objects to Exhibit 1129 Excel Trick, History of Microsoft Excel 1978-2013, <http://www.exceltrick.com/others/history-of-excel/>, as lacking proper authentication (FRE 901).

Respectfully submitted,

Date: April 12, 2018

/David L. Cavanaugh/
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CERTIFICATE OF SERVICE

I hereby certify that, on April 12, 2018, I caused a true and correct copy of the following materials:

- Patent Owner's Objections to Evidence

to be served via electronic mail on the following attorneys of record:

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