

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NALOX-1 PHARMACEUTICALS, LLC,

Petitioner,

v.

ADAPT PHARMA OPERATIONS LIMITED, and
OPIANT PHARMACEUTICALS, INC.

Patent Owners.

Case IPR2019-00685
U.S. Patent No. 9,211,253

**PETITIONER NALOX-1 PHARMACEUTICALS, LLC'S OBJECTIONS TO
EVIDENCE SUBMITTED WITH THE PATENT OWNER RESPONSE
PURSUANT TO 37 C.F.R. § 42.64(B)(1)**

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Nalox-1 Pharmaceuticals, LLC objects as follows to the admissibility of evidence submitted with the Patent Owner Response:

1. **EXHIBIT 2067** is objected to under Fed. R. Evid. 401–402 as irrelevant as used, as it is not prior art to the claims at issue, and under Fed. R. Evid. 403 because its minimal probative value is substantially outweighed by the fact that it is wasteful of time and PTAB resources.

2. **EXHIBIT 2068** is objected to under Fed. R. Evid. 401–402 as irrelevant, as it is not relied on or cited in any document or paper; under Fed. R. Evid. 403 because its minimal probative value is substantially outweighed by the fact that it is wasteful of time and PTAB resources; and under 37 C.F.R. § 42.6(c), as it was not filed with a document citing it.

3. **EXHIBIT 2073** is objected to under Fed. R. Evid. 401–402 as irrelevant, as it is not relied on or cited in any document or paper; under Fed. R. Evid. 403 because its minimal probative value is substantially outweighed by the fact that it is wasteful of time and PTAB resources; and under 37 C.F.R. § 42.6(c), as it was not filed with a document citing it.

4. **EXHIBIT 2075** is objected to under Fed. R. Evid. 401–402 as irrelevant, as it is not relied on or cited in any document or paper; under Fed. R. Evid. 403 because its minimal probative value is substantially outweighed by the

fact that it is wasteful of time and PTAB resources; and under 37 C.F.R. § 42.6(c), as it was not filed with a document citing it.

5. **EXHIBIT 2077** is objected to under Fed. R. Evid. 901 as insufficiently authenticated.

6. **EXHIBIT 2080** is objected to under Fed. R. Evid. 901 as insufficiently authenticated.

7. **EXHIBIT 2090** is objected to under Fed. R. Evid. 401–402 as irrelevant, as it is not relied on or cited in any document or paper; under Fed. R. Evid. 403 because its minimal probative value is substantially outweighed by the fact that it is wasteful of time and PTAB resources; and under 37 C.F.R. § 42.6(c), as it was not filed with a document citing it.

8. **EXHIBIT 2093** is objected to under Fed. R. Evid. 106 as incomplete, as it fails to include additional portions of chapters 12 and 19 of the reference that should be considered along with the remainder of the portions provided in the interests of justice; under Fed. R. Evid. 401–402 as irrelevant, as it is not relied on or cited in any document or paper; under Fed. R. Evid. 403 because its minimal probative value is substantially outweighed by the fact that it is wasteful of time and PTAB resources; and under 37 C.F.R. § 42.6(c), as it was not filed with a document citing it.

9. **EXHIBIT 2095** is objected to under Fed. R. Evid. 401–402 as

irrelevant, as it is not relied on or cited in any document or paper; under Fed. R. Evid. 403 because its minimal probative value is substantially outweighed by the fact that it is wasteful of time and PTAB resources; and under 37 C.F.R. § 42.6(c), as it was not filed with a document citing it.

10. **EXHIBIT 2098** is objected to under Fed. R. Evid. 901 as insufficiently authenticated, and under Fed. R. Civ. P. 801–2 as providing out-of-court statements relied upon for the truth of the matter asserted.

11. **EXHIBIT 2099** is objected to under Fed. R. Evid. 901 as insufficiently authenticated, and under Fed. R. Civ. P. 801–2 as providing out-of-court statements relied upon for the truth of the matter asserted.

12. **EXHIBIT 2100** is objected to under Fed. R. Evid. 901 as insufficiently authenticated, and under Fed. R. Civ. P. 801–2 as providing out-of-court statements relied upon for the truth of the matter asserted.

13. **EXHIBIT 2101** is objected to under Fed. R. Evid. 901 as insufficiently authenticated, and under Fed. R. Civ. P. 801–2 as providing out-of-court statements relied upon for the truth of the matter asserted.

14. **EXHIBIT 2102** is objected to under Fed. R. Evid. 901 as insufficiently authenticated, and under Fed. R. Civ. P. 801–2 as providing out-of-court statements relied upon for the truth of the matter asserted.

15. **EXHIBIT 2103** is objected to under Fed. R. Evid. 901 as

insufficiently authenticated, and under Fed. R. Civ. P. 801–2 as providing out-of-court statements relied upon for the truth of the matter asserted.

16. **EXHIBIT 2104** is objected to under Fed. R. Evid. 901 as insufficiently authenticated, and under Fed. R. Civ. P. 801–2 as providing out-of-court statements relied upon for the truth of the matter asserted.

17. **EXHIBIT 2105** is objected to under Fed. R. Evid. 901 as insufficiently authenticated, and under Fed. R. Civ. P. 801–2 as providing out-of-court statements relied upon for the truth of the matter asserted.

18. **EXHIBIT 2106** is objected to under Fed. R. Evid. 901 as insufficiently authenticated, and under Fed. R. Civ. P. 801–2 as providing out-of-court statements relied upon for the truth of the matter asserted.

19. **EXHIBIT 2107** is objected to under Fed. R. Evid. 901 as insufficiently authenticated, and under Fed. R. Civ. P. 801–2 as providing out-of-court statements relied upon for the truth of the matter asserted.

20. **EXHIBIT 2108** is objected to under Fed. R. Evid. 901 as insufficiently authenticated, and under Fed. R. Civ. P. 801–2 as providing out-of-court statements relied upon for the truth of the matter asserted.

21. **EXHIBIT 2109** is objected to under Fed. R. Evid. 901 as insufficiently authenticated, and under Fed. R. Civ. P. 801–2 as providing out-of-court statements relied upon for the truth of the matter asserted.

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