UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

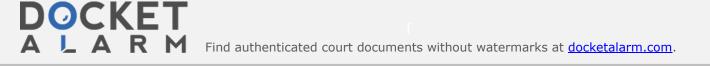
WALMART INC., Petitioner,

v.

CARAVAN CANOPY INTERNATIONAL, INC., Patent Owner.

Case No. IPR2020-01026 Patent No. 5,944,040 Issue Date: AUGUST 31, 1999 Title: COLLAPSIBLE TENT FRAME

PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE



Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner Caravan Canopy International, Inc. ("Patent Owner") hereby serves the following objections to exhibits Petitioner Walmart Inc. ("Petitioner") served with its Petition for *Inter Partes* Review on June 1, 2020 (Paper No. 1, the "Petition"). These objections are timely as they are filed and served on December 22, 2020, which is within ten business days of the Board's December 15, 2020, Institution Decision (Paper No. 12).

The Federal Rules of Evidence ("Rules") apply to these proceedings pursuant to 37 C.F.R. § 42.62, and the Rules form the basis of Patent Owner's objections as set forth below.

Exhibit Number and Description	Objection(s)
1003 – Expert Declaration of	FRE 403 – These paragraphs of Dr. Klopp's
Dr. Richard Klopp – Paragraphs	declaration tend to mislead the fact finder and
41, 44, 66, 72, 77, 79, 83, 106,	subject Patent Owner to unfair prejudice.
111, 112, 121, 122, 127, 128,	
133, 135, 155, 159, 161, 167,	
190, 191, 206, 211, 214, 223,	
and 226	
1003 – Expert Declaration of	FRE 702 – These paragraphs of Dr. Klopp's
Dr. Richard Klopp – Paragraphs	declaration are not: 1) based on sufficient
41, 44, 72, 77, 79, 83, 106, 111,	facts or data; and 2) the product of reliable

112, 128, 133, 135, 155, 159,	principles and methods.
161, 167, 190, 191, 211, 214,	
and 223	
1004 – JP H1-61370 to Yang	37 C.F.R. § 42.63(b) – The affidavit fails to
(translation)	allege that the signatory has any knowledge of
	the Japanese language such that she could
	attest to the accuracy of the translation or that
	she was the individual that actually translated
	the subject text.

Date: December 22, 2020

By: /Kyle W. Kellar/

Kyle W. Kellar, Reg. No. 71,165 LEWIS ROCA ROTHGERBER CHRISTIE LLP 655 N. Central Ave., Suite 2300 Glendale, CA 91203 Counsel for Patent Owner Caravan Canopy International, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on December 22, 2020, a copy of this PATENT

OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE have been served

in their entirety today, December 22, 2020, by electronic mail to:

David A. Reed, Reg. No. 61,226 KILPATRICK TOWNSEND & STOCKTON LLP 1100 Peachtree Street, NE, Suite 2800 Atlanta, GA 30309-4528 <u>dreed@kilpatricktownsend.com</u> <u>CaravanCanopy-WalmartLit@kilpatricktownsend.com</u>

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Registered Attorneys for Petitioner

Dated: December 22, 2020

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