

Filed on behalf of: Philip Morris Products, S.A.

Entered: April 14, 2021

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PHILIP MORRIS PRODUCTS, S.A.,
Petitioner,

v.

RAI STRATEGIC HOLDINGS, INC.,
Patent Owner.

Case IPR2020-01602
Patent 9,901,123

PETITIONER'S OBJECTIONS TO PATENT OWNER'S EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Philip Morris Products, S.A. ("Petitioner"), submits the following objections to evidence submitted by Patent Owner RAI Strategic Holdings, Inc. ("Patent Owner"). Petitioner's objections apply equally to Patent Owner's reliance on this evidence in any subsequently filed documents or further proceedings in this matter. These objections are timely, having been filed and served within ten business days of the institution of the trial. Notwithstanding these objections, Petitioner expressly reserves the right to rely on any evidence submitted by Patent Owner, including on the ground that such evidence constitutes a party admission.

Objections

Exhibit 2001, 2004, 2009

To the extent Patent Owner relies on these exhibits for the truth of the matter asserted, Petitioner objects to these exhibits as inadmissible hearsay under FRE 801 and 802 that does not fall under any exceptions, including those of FRE 803, 804, 805, or 807.

Respectfully submitted,

Dated: April 14, 2021

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 14th day of April, 2021, a true and correct copy of the foregoing **Petitioner's Objections to Patent Owner's Evidence** was served by electronic mail on Patent Owner's lead and backup counsel at the following email addresses:

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