

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

REGENERON PHARMACEUTICALS, INC.,
Petitioner

v.

NOVARTIS PHARMA AG,
NOVARTIS TECHNOLOGY LLC,
NOVARTIS PHARMACEUTICALS CORPORATION,
Patent Owners

Case IPR2021-00816
Patent 9,220,631

**PATENT OWNERS' OBJECTIONS TO ADMISSIBILITY OF EVIDENCE
SUBMITTED BY PETITIONERS**

Pursuant to 37 C.F.R. § 42.64(b), Patent Owners Novartis Pharma AG, Novartis Technology LLC, and Novartis Pharmaceuticals Corporation hereby object as follows to the admissibility of evidence filed by Petitioner Regeneron Pharmaceuticals, Inc., in conjunction with Petitioner's Reply to Patent Owner's Response, filed on April 15, 2022, and the Petitioner's Opposition to Patent Owner's Motion to Amend, filed on April 15, 2022.

Evidence	Objections
Exhibit 1092	<p>37 CFR § 42.6(a)(3): Petitioner's reliance on this exhibit entails improper incorporation by reference of arguments from one document into another document.</p> <p>FRE 105: To the extent that any portion of this exhibit may be deemed admissible, such admissibility should be for a limited purpose.</p> <p>FRE 402/403: The exhibit includes assertions and testimony that are not relevant to any ground upon which trial was instituted and/or for which the probative value to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly cumulative evidence.</p>

Evidence	Objections
	<p>FRE 602: The exhibit includes assertions for which evidence has not been introduced sufficient to show that the witness has personal knowledge of the matter asserted.</p> <p>FRE 701-703: The exhibit author is not qualified to opine on what a person of ordinary skill in the art would understand, to opine on patent claim limitations, to perform claim construction, and/or to perform legal analysis of invalidity. The exhibit contains improper lay and/or expert opinion. The opinion testimony offered in this exhibit is not based on scientific, technical, or other specialized knowledge, and is also not based on personal knowledge. The opinion testimony includes unsubstantiated leaps and advances inaccurate, unqualified and unsupported generalizations. The opinion testimony fails to properly disclose the underlying facts or data on which the opinion is based. The opinion testimony includes testimony on United States patent law and/or patent examination practice. The opinion testimony includes conclusions based on documents that are subject to objections indicated herein, that have not been sufficiently authenticated as what the declarant asserts or believes</p>

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	<p>them to be, and/or that an expert in the field would not reasonably rely on in forming an opinion on the particular subject.</p> <p>FRE 705: The exhibit includes expert testimony that does not disclose the underlying facts or data.</p> <p>FRE 802: The exhibit contains inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p>
Exhibit 1093	<p>37 CFR § 42.6(a)(3): Petitioner's reliance on this exhibit entails improper incorporation by reference of arguments from one document into another document.</p> <p>FRE 105: To the extent that any portion of this exhibit may be deemed admissible, such admissibility should be for a limited purpose.</p> <p>FRE 402/403: The exhibit includes assertions and testimony that are not relevant to any ground upon which trial was instituted and/or for which the probative value to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly cumulative evidence.</p> <p>FRE 602: The exhibit includes assertions for which evidence has</p>

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