

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 Owner.

Case No. IPR2021-00816

U.S. Patent No. 9,220,631

**PETITIONER'S THIRD OBJECTIONS TO
ADMISSIBILITY OF EVIDENCE SUBMITTED BY PATENT OWNER**

Pursuant to 37 C.F.R. § 42.64(b), Petitioner Regeneron Pharmaceuticals, Inc., hereby objects as follows to the admissibility of evidence filed by Patent Owners Novartis Pharma AG, Novartis Technology LLC, Novartis Pharmaceuticals Corporation, in conjunction with the Patent Owner Sur-Reply, filed on May 26, 2022.

Evidence	Objections
Exhibit 2335	<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: The exhibit is not relevant to any ground upon which trial was instituted.</p> <p>FRE 403: The exhibit's 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 802: The entirety of the exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p>37 C.F.R. § 42.23(b): The exhibit is impermissibly filed as new evidence accompanying a sur-reply.</p>

Evidence	Objections
Exhibit 2336	<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: The exhibit is not relevant to any ground upon which trial was instituted.</p> <p>FRE 403: The exhibit's 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 802: The entirety of the exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p>37 C.F.R. § 42.23(b): The exhibit is impermissibly filed as new evidence accompanying a sur-reply.</p>
Exhibit 2337	<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: The exhibit is not relevant to any ground upon which trial was instituted.</p>

Evidence	Objections
	<p>FRE 403: The exhibit's 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 802: The entirety of the exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p>37 C.F.R. § 42.23(b): The exhibit is impermissibly filed as new evidence accompanying a sur-reply.</p>
Exhibit 2339	Petitioner refers to the objections made during the deposition of James Agalloco, which are incorporated herein by reference.
Exhibit 2340	Petitioner refers to the objections made during the deposition of Joel M. Cohen, which are incorporated herein by reference.
Exhibit 2341	Petitioner refers to the objections made during the deposition of Kenneth S. Graham, which are incorporated herein by reference.

Evidence	Objections
Exhibit 2342	<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 403: The exhibit's 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 802: The entirety of the exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p>337 C.F.R. § 42.23(b): The exhibit is impermissibly filed as new evidence accompanying a sur-reply.</p>
Exhibit 2343	<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 403: The exhibit's 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>

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