

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HUNTER'S MANUFACTURING COMPANY, INC. d/b/a
TENPOINT CROSSBOW TECHNOLOGIES,

Petitioner,

v.

RAVIN CROSSBOWS, LLC,

Patent Owner.

IPR2023-00407
Patent 9,354,015

**PATENT OWNER'S OBJECTIONS TO EVIDENCE
SUBMITTED WITH PETITIONER'S REPLY**

Patent Owner Raven Crossbows LLC (“Patent Owner”) hereby objects to certain evidence submitted by Petitioner Hunter’s Manufacturing Company, Inc. (“Petitioner”) with the Petitioner’s Reply (“PR,” Paper 31) in the above-captioned proceeding. In accordance with 37 C.F.R. § 42.64(b)(1), these objections are being timely filed and served within five (5) business days of service of the evidence to which the objections are directed.

Patent Owner’s objections are based on the Federal Rules of Evidence (“FRE”), relevant case law, federal statute, and the Patent Trial and Appeal Board (“PTAB”) Rules. Patent Owner’s objections are set forth with particularity below.

I. Exhibit 1037

Exhibit 1037 is described as the Declaration of Stephen A. Batzer, Ph.D., P.E. in Support of Petitioner’s Reply to Patent Owner’s Response. Patent Owner objects to Exhibit 1037, including specifically to the extent it includes subject matter that is not permitted pursuant to FRE 602 or 702-703, including without limitation, to the extent that the declaration presents as “facts” information that is outside the personal knowledge of the declarant and/or to the extent that the testimony is not based on sufficient facts or data or the product of reliable principles and methods reliably applied in this case. Patent Owner objects to Exhibit 1037 as irrelevant under FRE 401 and 402 because it does not make any facts at issue in the *inter partes* review more or less probable than it would have been without the evidence. Patent Owner

objects to Exhibit 1037, and the exhibits thereto, as unfairly prejudicial, confusing the issues, and a waste of time under FRE 403. Patent Owner also objects to Exhibit 1037 as it contains information that should have been included with the Petition – including information that the Board has already denied leave for Petitioner to submit as supplemental evidence (Paper 32) – and thus does not meet the requirements of PTAB Rule 104(b)(5). Patent Owner further objects to the portions of Exhibit 1037 that cite an exhibit objected to herein for the reasons stated herein.

II. Exhibits 1031-1033

Exhibits 1031-1033 are described as (1) Exhibit from January 22, 2024 Deposition of Jonathan Teater: Modified Islas Configuration; (2) Exhibit from February 6, 2024 Deposition of Jonathan Teater: Side Views of Compared Configurations; and (3) Exhibit from February 6, 2024 Deposition of Jonathan Teater: Reverse-Draw Configurations, respectively. Patent Owner objects to Exhibits 1031-1033 under FRE 401-403 as irrelevant, a waste of time, and likely to cause confusion, under FRE 901 as lacking authentication because they contain modified versions of figures from other documents, including documents that are unidentified and not in evidence in this proceeding. Patent Owner further objects to Exhibits 1031-1033 as containing hearsay under FRE 801 and FRE 802 to the extent that Petitioner attempts to rely on it to prove the truth of any matter asserted therein, but the exhibit fails to meet the requirements of any hearsay exception or exemption

under FRE 803-807. Patent Owner also objects to Exhibits 1031-1033 as they should have been included with the Petition and, thus, do not meet the requirements of PTAB Rule 104(b)(5).

III. Exhibits 1034-1035

Exhibits 1034-1035 are described as Transcript of January 22, 2024 Deposition of Jonathan Teater and Transcript of February 6, 2024 Deposition of Jonathan Teater, respectively. Patent Owner objects to these Exhibits to the extent Petitioner relies on any portion, or that the transcripts involve testimony involving objectionable Exhibits, including without limitation Exhibits 1031-1033, discussed above.

Dated: February 21, 2024

Respectfully submitted,

/Christopher M. King/

Christopher M. King

Registration No. 71,128

Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Patent Owner's Objections to Evidence Submitted with Petitioner's Reply** was served on February 21, 2024, by email to Petitioner's counsel of record:

jms@etblaw.com

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Dated: February 21, 2024

/Christopher M. King/
Christopher M. King
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Counsel for Patent Owner