

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG BIOEPIS CO., LTD.,
Petitioner,

v.

REGENERON PHARMACEUTICALS, INC.,
Patent Owner.

Case IPR2023-00442

U.S. Patent No. 10,130,681

**PETITIONER'S OBJECTIONS TO
PATENT OWNER'S DEMONSTRATIVE**

Pursuant to the Board’s Order Setting Oral Argument (Paper 47), Petitioner objects to the following slides from Patent Owner’s demonstratives (Ex. 2388) because they introduce new arguments and evidence that were not made in a substantive paper of record and therefore Petitioner has not had an opportunity to address them. While Petitioner believes that Slides 26, 29, and 34 also merit exclusion because they cite new evidence, to help narrow the issues and conserve the Board’s resources, Petitioner presents only Slides 18-21 and 32 from Patent Owner’s demonstrative exhibits here for the Board’s consideration and requests that Slides 18-21 and 32 be excluded for the reasons set forth below.

Petitioner and Patent Owner met and conferred with respect to these objections on April 16, 2024 and could not come to a mutual resolution.

Slide	Objection
18	The slide introduces improper new argument and evidence not included in the record that the MACTEL references (Exs. 1032-1033) are allegedly inconsistent and unreliable.
19	The slide introduces improper new argument and evidence not included in the record that the MACTEL references (Exs. 1032-1033) are allegedly inconsistent and unreliable.
20	The slide introduces improper new argument that CATT (Ex. 1031) is not a reliable source and mixes new arguments from Patent Owner’s Motion to Exclude into its substantive response to Petitioner’s grounds.
21	The slide introduces improper new argument that CATT (Ex. 1031) is not a reliable source and mixes new arguments from Patent Owner’s Motion to Exclude into its substantive response to Petitioner’s grounds.

32	The slide introduces improper new argument and evidence in the form of a diagram not included in the record concerning Patent Owner's characterization of <i>Amneal Pharms. LLC v. Jazz Pharms. Ireland Ltd.</i> , IPR2016-00546, 2016 WL 5222883 (P.T.A.B. July 28, 2016) and the present IPR.
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DATED: April 17, 2024

Respectfully submitted,

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Lead Counsel for Petitioner Samsung Bioepis

CERTIFICATE OF SERVICE

In accordance with 37 C.F.R. § 42.6(e), I hereby certify that on April 17, 2024, true and correct copies of Petitioner's Objections to Patent Owner's Demonstratives were served via electronic mail to Patent Owner at the following email addresses of record:

Deborah.Fishman@arnoldporter.com
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