

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIKING DRILL & TOOL, INC.
Petitioner,

v.

HONGJIA WANG
Patent Owner.

Case IPR2023-00473
U.S. Patent No. 11,007,583

PETITIONER'S OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner hereby submits its notice of objections to certain evidence that Petitioner submitted in connection with IPR2023-00473.

Exhibit Number	Objections
2034	Petitioner objects to Exhibit 2034 to the extent Dr. Endres has not disclosed materials considered other than those referenced in his declaration. <i>See</i> 37 C.F.R. §§ 42.65(a) and (b). <u>FRE 702, 703, 37 C.F.R. §§ 42.65:</u> Section I.A. (¶¶ 7-40) is not based on sufficient facts or data, do not disclose underlying facts or data, do not sufficiently explain the test or data in accordance with 42.65(b), and/or are not the product of reliable scientific principles and methods. Section I.B. (¶¶ 41-51) is not based on sufficient facts or data, do not sufficiently explain the test or data in accordance with 42.65(b), and/or are not the product of reliable scientific principles and methods. Section I.B. (¶¶ 108-120) is not based on sufficient facts or data, do not disclose underlying facts or data, do not sufficiently explain the test or data in accordance with 42.65(b), and/or are not the product of reliable scientific principles and methods. Section II.A. (¶¶ 122-123) is not based on sufficient facts or data, do not disclose underlying facts or data, do not sufficiently explain the test or data in accordance with 42.65(b), and/or are not the product of reliable scientific principles and methods. Section II.A.1. (¶¶ 124-136) is not based on sufficient facts or data, do not disclose underlying facts or data, do not sufficiently explain the test or data in accordance with 42.65(b), and/or are not the product of reliable scientific principles and methods.

	Section II.A.2. (§§ 138, 141) is not based on sufficient facts or data, do not disclose underlying facts or data, do not sufficiently explain the test or data in accordance with 42.65(b), and/or are not the product of reliable scientific principles and methods. Section II.A.3 (§§ 142,148) is not based on sufficient facts or data, do not disclose underlying facts or data, do not sufficiently explain the test or data in accordance with 42.65(b), and/or are not the product of reliable scientific principles and methods. Section II.B. (§§ 149-161) is not based on sufficient facts or data, do not disclose underlying facts or data, do not sufficiently explain the test or data in accordance with 42.65(b), and/or are not the product of reliable scientific principles and methods. Section II.C. (§§ 162-164) is not based on sufficient facts or data, do not disclose underlying facts or data, do not sufficiently explain the test or data in accordance with 42.65(b), and/or are not the product of reliable scientific principles and methods. Section II.D. (§§ 165-174) is not based on sufficient facts or data, do not disclose underlying facts or data, do not sufficiently explain the test or data in accordance with 42.65(b), and/or are not the product of reliable scientific principles and methods. Section II.E. (§§ 175-178) is not based on sufficient facts or data, do not disclose underlying facts or data, do not sufficiently explain the test or data in accordance with 42.65(b), and/or are not the product of reliable scientific principles and methods. Section II.F. (§§ 179-180) is not based on sufficient facts or data, do not disclose underlying facts or data, do not sufficiently explain the test or data in accordance with 42.65(b), and/or are not the product of reliable scientific principles and methods. Section II.G. (§§ 182-185) is not based on sufficient facts or data, do not disclose underlying facts or data, do not sufficiently explain the test or data in accordance with 42.65(b), and/or are not the product of reliable scientific principles and methods.
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¶¶ 7, 12, 36, 39, 44, 119, 161, 165, 175, 177, 184-185, and the headings of Section I, I.A, and II state improper legal conclusions.

FRE 401, 402, 403:

Section I.A. (¶¶ 7-40) is not relevant the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403.

Section I.B. (¶¶ 41-107) is not relevant the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403.

Section I.B. (¶¶ 108-120) is not relevant the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403.

Section II.A. is not relevant the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403.

Section II.A.1. (¶¶ 124-136) is not relevant the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403.

Section II.A.2. (¶¶ 138-141) is not relevant the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the

	document is inadmissible under Rule 403. Section II.A.3 (§§ 142-148) is not relevant the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. Section II.B. (§§ 149-161) is not relevant the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. Section II.C. (§§ 162-164) is not relevant the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. Section II.D. (§§ 165-174) is not relevant the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. Section II.E. (§§ 175-178) is not relevant the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. Section II.F. (§§ 179-180) is not relevant the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. Section II.G. (§§ 182-185) is not relevant the extent this document is
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	relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. ¶¶ 8, 22, 110, 116 are not relevant the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. ¶¶ 13, 36 are not relevant; to the extent they are relevant, their probative value is outweighed by the danger of causing unfair prejudice and confusing the issues because of improper speculation. ¶¶ 167-173, 176, 182, are not relevant; to the extent they are relevant, their probative value is outweighed by the danger of causing unfair prejudice and confusing the issues because they improperly characterize a document or general knowledge. <u>FRE 801, 802:</u> ¶¶ 166-180 rely on documents that are hearsay.
2036	<u>FRE 401, 402, 403:</u> ¶¶ 11, 15, and 37 are not relevant; to the extent they are relevant, their probative value is outweighed by the danger of causing unfair prejudice and confusing the issues because of improper speculation and Mr. Fisher's interest in the outcome of this proceeding. <u>FRE 801, 802:</u> ¶¶ 23-24, and 26-55 rely on documents that are hearsay.
2039	FRE 401, 402, 403: This exhibit is not relevant. To the extent this document is relevant, its probative value is outweighed by the danger of causing unfair prejudice, confusing the issues, causing undue

	delay, wasting time, or needlessly presenting cumulative evidence, and therefore the document is inadmissible under Rule 403. FRE 801, 802: This document is hearsay.
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Respectfully submitted,

Date: November 14, 2023

/Mitchell R. Williams/

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Attorneys for Petitioner

CERTIFICATE OF SERVICE

I certify that on November 14, 2023, I caused a true and correct copy of the foregoing Petitioner's Objections to Evidence to be served via electronic mail on the following:

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