

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 IPR2023-00739

U.S. Patent No. 10,888,601

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

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Samsung Bioepis Co., Ltd. (“Petitioner”) submits the following objections to evidence submitted by Patent Owner Regeneron Pharmaceuticals, Inc. (“Patent Owner”). Petitioner’s objections apply equally to Patent Owner’s reliance on this evidence in any subsequently filed documents or further proceedings in this matter. These objections are timely, having been filed and served within ten business days of the institution of the trial. Notwithstanding these objections, Petitioner expressly reserves the right to rely on any evidence submitted by Patent Owner, including on the ground that such evidence constitutes a party admission.

Objections

Exhibits 2003-2004, and 2010

Petitioner objects to these exhibits under FRE 401, 402 and 403. Exhibits 2003, 2004, and 2010 are not relevant, and their probative value is substantially outweighed by the danger of confusion of the issues. To the extent Patent Owner relies on Exhibits 2003-2004 for the truth of the matter asserted, Petitioner further objects to Exhibits 2003-2004 as inadmissible hearsay under FRE 801 and 802 that does not fall under any exceptions, including those of FRE 803, 804, 805, or 807.

Exhibits 2005, 2009, 2012, 2018, and 2020

Petitioner objects to these exhibits as inadmissible hearsay under FRE 801 and 802 that does not fall under any exceptions, including those of FRE 803, 804,

805, or 807, to the extent Patent Owner relies on these exhibits for the truth of the matter asserted. Petitioner further objects to the extent Patent Owner seeks to rely on declaration and trial testimony without making the declarant available for cross-examination.

Exhibits 2006-2008, and 2021-2023

To the extent Patent Owner relies on these exhibits for the truth of the matter asserted, Petitioner objects to these exhibits as inadmissible hearsay under FRE 801 and 802 that does not fall under any exceptions, including those of FRE 803, 804, 805, or 807.

Petitioner objects to Exhibits 2022 and 2023 under FRE 401, 402 and 403. Exhibits 2022 and 2023 are not relevant, and their probative value is substantially outweighed by the danger of confusion of the issues because they are not cited, discussed, or relied upon in Patent Owner's Preliminary Response ("POPR") or in Patent Owner's Sur-Reply to Petitioner's Reply to POPR.

DATED: November 3, 2023

Respectfully submitted,

By /Raymond N. Nimrod/

Raymond N. Nimrod (Reg. No. 31,987)

raynimrod@quinnemanuel.com

QUINN EMANUEL URQUHART

& SULLIVAN LLP

51 Madison Avenue, 22nd Floor

New York, NY 10010

Tel: (212) 849-7000

Fax: (212) 849-7100

Attorneys for Petitioner Samsung Bioepis

CERTIFICATE OF SERVICE

In accordance with 37 C.F.R. § 42.6(e), I hereby certify that on November 3, 2023, true and correct copies of the foregoing were served via electronic mail to Patent Owner at the following email addresses of record:

Brausa, Adam R. ABrausa@mofo.com
Davis, Kira A KiraDavis@mofo.com
Weires, Rebecca RWeires@mofo.com
Durie, Daralyn J. DDurie@mofo.com
Regeneron-MoFo-IPR Regeneron-MoFo-IPR@mofo.com

DATED: November 3, 2023

Respectfully submitted,

By /Raymond N. Nimrod/

Raymond N. Nimrod (Reg. No. 31,987)
raynimrod@quinnemanuel.com
QUINN EMANUEL URQUHART
& SULLIVAN, LLP
51 Madison Ave., 22nd Floor
New York, NY 10010
Tel: (212) 849-7000
Fax: (212) 849-7100