

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SYMRISE AG AND SYMRISE INC.

PETITIONER,

v.

INOLEX INVESTMENT CORPORATION,

PATENT OWNER.

IPR2023-01035
Patent 10,995,048

**PETITIONER’S OBJECTIONS TO EVIDENCE IN PATENT OWNER’S
REPLY**

Petitioner Symrise AG and Symrise Inc object, pursuant to 37 C.F.R. §42.64(b)(1) and the Federal Rules of Evidence, to the admissibility of the following evidence submitted by Patent Owner Inolex in its Reply to Petitioner's Opposition to the Revised Motion to Amend ("Reply").

The Reply was filed on August 15, 2024, so Petitioner's objections are timely filed under 37 C.F.R. §42.64(b)(1).

Petitioner asks the Patent Trial and Appeal Board to deny the admission and consideration of the following documents on the following bases:

I. Exhibit 2010: Third Declaration of Dr. Michael Wright

Petitioner objects to Exhibit 2010 because Exhibit 2010 lacks relevance under FRE 401 and 402 because it exceeds the proper scope of a Patent Owner's Reply. See 37 C.F.R. §42.23(b). Petitioner further objects to Exhibit 2010 because it is unfairly prejudicial under FRE 403 because it newly adds evidence that should have been raised in its Revised Motion to Amend. Petitioner further objects to Exhibit 2010 because it is supplemental information that is improper and untimely under 37 C.F.R. § 42.123. Petitioner also objects to Exhibit 2010 because it is improperly incorporated by reference under 37 C.F.R. §42.6(a)(3).

Date: August 22, 2024

Respectfully submitted,

/James P. Murphy/
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CERTIFICATE OF SERVICE UNDER 37 CFR §42.6(e)(4)

The undersigned hereby certifies that a copy of the accompanying Petitioner's Objection to Evidence in Patent Owner's Reply Under 37 C.F.R. §42.64(b)(1), has been served on August 22, 2024, via email directed to the following email addresses provided in Patent Owner's mandatory notices:

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