UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BAYER CROPSCIENCE LP AND MONSANTO COMPANY,
Petitioners,

v.

CORTEVA AGRISCIENCE LLC.
Patent Owner.

IPR2023-01038
Patent No. 11,299,745

PATENT OWNER'S OBJECTIONS TO PETITIONERS' EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1) and the Federal Rules of Evidence ("FRE"), Patent Owner Corteva Agriscience LLC submits the following objections to evidence submitted by Petitioners Bayer CropScience LP and Monsanto Company ("Petitioners") with their Reply to Patent Owner's Response ("Reply"). These objections are timely filed and served within five business days of the service of evidence to which the objection is directed.

Exhibits 1075, 1076, and 1077

Patent Owner objects to Exhibits 1075, 1076, and 1077 as lacking authentication under FRE 901 because sufficient evidence has not been provided to establish the authenticity of these Exhibits. Exhibits 1075, 1076, and 1077 purport to be website printouts allegedly dated 2022 or later and are not self-authenticating.

Exhibits 1074, 1078, 1079, 1080, 1081, 1082, and 1083

Patent Owner objects to Exhibits 1074, 1078, 1079, 1080, 1081, 1082, and 1083 as lacking authentication under FRE 901 because sufficient evidence has not been provided to establish the authenticity of these Exhibits. The Exhibits are not self-authenticating. The Exhibits are missing a journal cover and any otherwise reliable source information. To the extent Petitioners rely on the Exhibits as printed publication prior art, Patent Owner objects to Exhibits 1074, 1078, 1079, 1080, 1081, 1082, and 1083 as not having any library stamp or any other evidence to show that they had been publicly available to skilled artisans at the time of the invention. To

the extent Petitioners rely on the content of these Exhibits for the truth of the matter asserted, Patent Owner objects to the Exhibits as inadmissible hearsay (see FRE 801 and 802) that does not fall under any exceptions, including FRE 803, 804, 805, and 807. Patent Owner also objects to Exhibits 1080, 1082, and 1083 as not relevant, confusing, unfairly prejudicial, and not helpful to the trier of fact under FRE 401, 402, and 403.

Exhibit 1084

Patent Owner objects to Exhibit 1084 as incomplete under FRE 106 because it represents only an excerpt of the purported Patent Application Publication. Patent Owner also objects to Exhibit 1084 as not relevant, confusing, unfairly prejudicial, and not helpful to the trier of fact under FRE 401, 402, and 403.

Dated: July 10, 2024

/Yieyie Yang/
Yieyie Yang, Reg. No. 71,923
Counsel for Patent Owner
Corteva Agriscience LLC

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **Patent Owner's Objections to Petitioners' Evidence** was served electronically via email on July 10, 2024, in its entirety on the following:

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Petitioners have consented to service by email.

Dated: July 10, 2024

/William Esper/
William Esper
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