

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BAZOOKA-FARMSTAR, LLC,

Petitioner,

v.

NUHN INDUSTRIES LTD.,

Patent Owner.

Case No. IPR2024-00004
U.S. Patent No. 11,491,835

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

Pursuant to the Order regarding Oral Argument (Paper No. 58, p. 3), Patent Owner Nuhn Industries Ltd. (“Nuhn”) objects to Petitioner Bazooka-Farmstar, LLC’s (“Bazooka”) demonstrative exhibits (Paper 65). The parties met and conferred, seeking to resolve these objections on February 12, 2025. The Parties were unable to resolve the objections during the meet and confer.

I. PETITIONER’S HEARING DEMONSTRATIVES (Paper 65)

- **Slide 27** – Patent Owner objects on the ground that slide 27 includes new arguments and evidence in violation of Paper 56, p. 3 and *Dell Inc. v. Acceleron, LLC*, 884 F.3d 1364, 1369 (Fed. Cir. 2018). Slide 27 makes new arguments with reference to EX1158 and EX1159, which were not advanced in Petitioner’s Reply (Paper 34). EX1158 and EX1159 are related to a Prototype agitation barge made by Benny Puck. These exhibits were filed on December 26, 2024 in connection with Petitioner’s Opposition (Paper 47) to Patent Owner’s Revised Motion to Amend (Paper 42) and about 3 months after Petitioner’s Reply (Paper 34) was filed on October 1, 2024. Because EX1158 and EX1159 were not filed with or cited in Petitioner’s Reply (Paper 34), these exhibits and corresponding arguments regarding the Puck Prototype cannot be utilized to challenge the patentability of the issued claims of the ‘835 Patent.

Dated: February 12, 2025

Respectfully submitted,

By: /James B. Luchsinger/

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. 42.6(e), I certify that on this 12th day of February 2025, a true and correct copy of the foregoing **PATENT OWNER'S OBJECTIONS TO PETITIONER'S DEMONSTRATIVE EXHIBITS** was served by electronic mail on Petitioner's lead and backup counsel at the following addresses:

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