Filed on behalf of:
Precision Planting, LLC

Filed: November 22, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PRECISION PLANTING, LLC,
Petitioner,

v.

MASCHIO GASPARDO S.p.A.,
Patent Owner.

Case IPR2024-00008
U.S. Patent No. 8,770,121

Before BENJAMIN D.M. WOOD, LYNNE H. BROWNE,
and RICHARD H. MARSCHALL, *Administrative Patent Judges*.

PETITIONER'S OBJECTIONS TO PATENT OWNER'S EXHIBITS

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner submits the following objections to Exhibits 2020-2023 filed with Patent Owner's Sur-Reply to Petitioner's Reply ("Sur-Reply"). Petitioner's objections apply equally to Patent Owner's reliance on these exhibits in its Sur-Reply and any subsequently filed documents, papers, or demonstratives. Petitioner's objections are timely, being filed within 5 business days of the Sur-Reply.

Patent Owner's Exhibits 2020–2023 were submitted with Patent Owner's Sur-Reply. None of Exhibits 2020–2023 constitute deposition transcripts of cross-examination of any reply witness. "A sur-reply may only respond to arguments raised in the corresponding reply and may not be accompanied by new evidence other than deposition transcripts of the cross-examination of any reply witness." 37 C.F.R. ¶ 42.23(b) (emphasis added). *See also* Patent Trial and Appeal Board Consolidated Trial Practice Guide November 2019 ("Trial Practice Guide"), at p. 73 ("[t]he sur-reply may not be accompanied by new evidence other than deposition transcripts of the cross-examination of any reply witness.") Since none of Exhibits 2020-2023 are deposition transcripts of the cross-examination of any reply witness, Petitioner objects to, and requests Patent Owner immediately withdraw, Exhibits 2020–2023.

Dated: November 22, 2024

/s/ ***Scott R. Brown***

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Certificate of Service

Pursuant to 37 C.F.R. § 42.6(e), I certify that on November 22, 2024, a true and correct copy of **Petitioner's Objections to Patent Owner's Exhibits** was served by electronic mail on Patent Owner's lead and backup counsel at the following email addresses:

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/s/ ***Scott R. Brown***

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