

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JUNIPER NETWORKS, INC.,
Petitioner,

v.

MONARCH NETWORKING SOLUTIONS LLC,
Patent Owner.

U.S. Patent No. 8,693,369

“Method of Routing a Data Packet in a Network and an Associated Device”

IPR2024-00175

**PETITIONER’S OBJECTIONS TO PATENT OWNER’S SUR-REPLY
EVIDENCE PURSUANT TO 37 C.F.R. § 42.64(B)(1)**

I. INTRODUCTION

Under the Federal Rules of Evidence and 37 C.F.R. § 42.64, Petitioner Juniper Networks, Inc. timely objects to evidence submitted by Patent Owner Monarch Networking Solutions LLC in its sur-reply. Petitioner may move to exclude the challenged exhibit under 37 C.F.R. § 42.64(c) unless Patent Owner provides evidence curing the objections identified below (*i.e.*, withdrawing the declaration and removing references to it from the sur-reply).

II. EXHIBIT 2015 – DECLARATION OF DANIEL MINOLI IN SUPPORT OF PATENT OWNER'S SUR-REPLY

Petitioner objects to Exhibit 2015, a 14-page expert declaration from Daniel Minoli. This expert declaration violates 37 C.F.R. § 42.23(b), which states that a sur-reply “may not be accompanied by *new evidence* other than deposition transcripts of the cross-examination of any reply witness.” Patent Owner submitted this exhibit without meeting and conferring with Petitioner and did not first seek permission from the Board prior to submitting the supplemental expert declaration. Patent Owner thus has not established, nor attempted to establish, any reason why it should be granted relief from § 42.23(b) prior to submitting its improper expert declaration.

III. CONCLUSION

Petitioner respectfully requests that Patent Owner withdraw Exhibit 2015 and remove references to it from the sur-reply.

Date: December 10, 2024

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Petitioner's Reply to Patent Owner Response was served via e-mail pursuant to 37 C.F.R. §42.6(e) in its entirety to all counsel of record, as follows:

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Respectfully submitted,

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