

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SRAM, LLC,
Petitioner,

v.

FOX FACTORY, INC.,
Patent Owner.

Case IPR2024-00216
Patent No. 8,550,223

PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE

The Federal Rules of Evidence (“FRE”) generally apply to proceedings before the Board. 37 C.F.R. § 42.62(a). Pursuant to 37 C.F.R. § 42.64(b)(1) and the FRE, Patent Owner FOX Factory, Inc. (“FOX”) submits the following objections to certain exhibits submitted by Petitioner SRAM, LLC (“SRAM”). These objections apply equally to SRAM’s reliance on these exhibits in any submitted paper, or in any subsequently filed documents or testimony. These objections are timely filed and served within five business days of service of SRAM’s Reply. 37 C.F.R. § 42.64(b)(1).

Exhibit 1022

FOX objects to Exhibit 1022 under FRE 106 and the Rule of Completeness for SRAM’s failure to submit the complete document from which the exhibit was excerpted. The exhibit presents excerpted content that presents matters out of context and is thus unfairly prejudicial to FOX. The entirety of the document should be taken into consideration to better understand the context in which certain statements or assertions were made. The Board should strike Exhibit 1022 unless SRAM submits the complete document from which the excerpt was taken as supplemental evidence.

Respectfully submitted,

Dated: November 27, 2024

By: /Arpita Bhattacharyya/
Arpita Bhattacharyya, Reg. No. 63,681
Finnegan, Henderson, Farabow,
Garrett & Dunner, LLP

Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **Patent Owner's Objections to Petitioner's Evidence** was served electronically via email on November 27, 2024, in its entirety on the following:

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Petitioner has consented to service by email.

Dated: November 27, 2024

/William Esper/
William Esper
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