

UNITED STATES AND PATENT TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PROVISUR TECHNOLOGIES, INC.,
Petitioner

v.

TEXTOR MASCHINENBAU GMBH,
Patent Owner

Case IPR2024-00224
U.S. Patent No. 9,457,487

**PETITIONER'S OBJECTIONS TO
EVIDENCE PURSUANT TO 37 C.F.R. § 42.64**

Pursuant to 37 C.F.R. § 42.64, Petitioner Provisur Technologies, Inc.

(“Provisur”) presents the following objections to Patent Owner Textor

Maschinenbau GmbH (“Textor”)’s supplemental evidence served on July 23, 2024.

Provisur objects to Exhibit 2015 as inadmissible hearsay (FRE 801, 802), irrelevant (FRE 401), and prejudicial (FRE 403). Provisur also objects to Exhibit 2015 because it is incomplete (FRE 106). Provisur further objects to Exhibit 2015 because it does not disclose the underlying facts or data on which the opinion is based, does not apply reliable principles and methods, is not based on sufficient facts or data, is not within the realm of the expert’s scientific, technical, or other specialized knowledge, and does not reliably apply the principles and methods to the facts of the case (FRE 702/703).

Provisur objects to Exhibit 2016 as inadmissible hearsay (FRE 801, 802), irrelevant (FRE 401), and prejudicial (FRE 403). Provisur also objects to Exhibit 2016 because it is incomplete (FRE 106). Provisur further objects to Exhibit 2016 because it does not disclose the underlying facts or data on which the opinion is based, does not apply reliable principles and methods, is not based on sufficient facts or data, is not within the realm of the expert’s scientific, technical, or other specialized knowledge, and does not reliably apply the principles and methods to the facts of the case (FRE 702/703).

Provisur objects to Exhibit 2017 as inadmissible hearsay (FRE 801, 802), irrelevant (FRE 401), and prejudicial (FRE 403). Provisur also objects to Exhibit 2017 because it is incomplete (FRE 106). Provisur further objects to Exhibit 2017 because it does not disclose the underlying facts or data on which the opinion is based, does not apply reliable principles and methods, is not based on sufficient facts or data, is not within the realm of the expert's scientific, technical, or other specialized knowledge, and does not reliably apply the principles and methods to the facts of the case (FRE 702/703).

Provisur objects to Exhibit 2018 as inadmissible hearsay (FRE 801, 802), irrelevant (FRE 401), prejudicial (FRE 403), and for a lack of personal knowledge (FRE 602).

Provisur objects to Exhibit 2019 as inadmissible hearsay (FRE 801, 802), irrelevant (FRE 401), prejudicial (FRE 403), and for a lack of personal knowledge (FRE 602).

Provisur objects to Exhibit 2020 for lacking a certified translation (FRE 604; 37 CFR § 42.63) and because it is unauthenticated (FRE 901).

Provisur objects to EX2021 as inadmissible hearsay (FRE 801, 802).

Provisur objects to EX2022 as inadmissible hearsay (FRE 801, 802).

Provisur objects to EX2023 as inadmissible hearsay (FRE 801, 802).

IPR2024-00224

U.S. Patent No. 9,457,487

Provisur objects to EX2024 as inadmissible hearsay (FRE 801, 802).

Provisur objects to EX2025 as inadmissible hearsay (FRE 801, 802).

IPR2024-00224

U.S. Patent No. 9,457,487

Respectfully submitted,

Dated: July 29, 2024

By: /s/ Michael G. Babbitt
Michael G. Babbitt (Reg. No. 59,288)

Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on July 29, 2024, I caused a true and correct copy of the foregoing materials:

- PETITIONER’S OBJECTIONS TO EVIDENCE PURSUANT TO 37

C.F.R. § 42.64;

to be served via electronic mail to the Patent Owner’s Attorney of Record.

/s/ Michael G. Babbitt

Michael G. Babbitt (Reg. No. 59,288)

Counsel for Petitioner