

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NJOY, LLC,
NJOY HOLDINGS, INC.,
Petitioners

v.

JUUL LABS, INC.
Patent Owner

Case No. IPR2024-00231
U.S. Patent No. 10,130,123

PATENT OWNER'S NOTICE OF OBJECTIONS TO EVIDENCE

I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner JUUL Labs, Inc. (“Patent Owner”), submits the following objections to Petitioner’s Exhibits 1020, 1026, 1029, 1030, and 1034-1037. As required by 37 C.F.R. § 42.62, Patent Owner’s objections below apply the Federal Rules of Evidence (“FRE”).

II. OBJECTIONS

A. Objections to Exhibit 1020

Grounds for Objection: FRE 801-803, 901

Patent Owner objects to the admissibility of Exhibit 1020 under FRE 801-803 and 901. Petitioner has not established that Exhibit 1020 is an authentic copy. Patent Owner further objects to Exhibit 1020 as hearsay. Patent Owner further objects to Exhibit 1020 as Petitioner has not established it is a printed publication.

B. Objections to Exhibit 1026

Grounds for Objection: FRE 801-803, 901

Patent Owner objects to the admissibility of Exhibit 1026 under FRE 801-803 and 901. Petitioner has not established that Exhibit 1026 is an authentic copy. Patent Owner further objects to Exhibit 1026 as hearsay. Patent Owner further objects to Exhibit 1026 as Petitioner has not established it is a printed publication.

C. Objections to Exhibit 1029

Grounds for Objection: FRE 801-803, 901

Patent Owner objects to the admissibility of Exhibit 1029 under FRE 801-803 and 901. Petitioner has not established that Exhibit 1029 is an authentic copy. Patent Owner further objects to Exhibit 1029 as hearsay. Patent Owner further objects to Exhibit 1029 as Petitioner has not established it is a printed publication.

D. Objections to Exhibit 1030

Grounds for Objection: FRE 801-803, 901

Patent Owner objects to the admissibility of Exhibit 1030 under FRE 801-803 and 901. Petitioner has not established that Exhibit 1030 is an authentic copy. Patent Owner further objects to Exhibit 1030 as hearsay. Patent Owner further objects to Exhibit 1030 as Petitioner has not established it is a printed publication.

E. Objections to Exhibit 1034

Grounds for Objection: FRE 401-403, 801-803, 901

Patent Owner objects to the admissibility of Exhibit 1034 under FRE 403-403, 801-803 and 901. Petitioner has not established the relevance of this exhibit, and to the extent it is relevant, Petitioner objects to it as prejudicial, confusing, and likely to mislead. Petitioner has not established that Exhibit

1034 is an authentic copy. Patent Owner further objects to Exhibit 1034 as hearsay.

F. Objections to Exhibit 1035

Grounds for Objection: FRE 401-403, 801-803, 901

Patent Owner objects to the admissibility of Exhibit 1035 under FRE 403-403, 801-803 and 901. Petitioner has not established the relevance of this exhibit, and to the extent it is relevant, Petitioner objects to it as prejudicial, confusing, and likely to mislead. Petitioner has not established that Exhibit 1035 is an authentic copy. Patent Owner further objects to Exhibit 1035 as hearsay.

G. Objections to Exhibit 1036

Grounds for Objection: FRE 401-403, 801-803

Patent Owner objects to the admissibility of Exhibit 1036 under FRE 403-403 and 801-803. Petitioner has not established the relevance of this exhibit, and to the extent it is relevant, Petitioner objects to it as prejudicial, confusing, and likely to mislead. Patent Owner further objects to Exhibit 1035 as hearsay.

H. Objections to Exhibit 1037

Grounds for Objection: FRE 401-403, 801-803

Patent Owner objects to the admissibility of Exhibit 1037 under FRE 403-403 and 801-803. Petitioner has not established the relevance of this

exhibit, and to the extent it is relevant, Petitioner objects to it as prejudicial, confusing, and likely to mislead. Patent Owner further objects to Exhibit 1037 as hearsay.

Date: June 27, 2024

By: /s/ James Glass

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Counsel for Patent Owner

CERTIFICATE OF SERVICE (37 C.F.R. §§ 42.6(E), 42.105(A))

The undersigned hereby certifies that the foregoing document was served in its entirety on June 27, 2024 upon the following parties via Electronic Mail:

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