

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NJOY, LLC and NJOY HOLDINGS, INC.,

Petitioners,

v.

JUUL LABS, INC.,

Patent Owner.

Case 2024-00231
U.S. Patent No. 10,130,123

**PETITIONERS' OBJECTIONS TO
PATENT OWNER'S DEMONSTRATIVE EXHIBITS
FOR ORAL ARGUMENT**

I. Objections to Patent Owner’s Demonstratives

Pursuant to the Board’s February 27, 2025 Order (Paper 40), Petitioners NJOY, LLC and NJOY Holdings, Inc. (“Petitioners”) submit the following objections to Patent Owner’s demonstratives for use at the oral argument scheduled for March 19, 2025. In the table below, Petitioners have placed a red dashed box over the objectionable material in each slide.

Slide No.	Objection
45	Petitioners object to the annotated figures as introducing improper new argument that was not disclosed in any paper of record. Ground 3: Modified Worm’s “Airflow Path” has the <i>Same</i> Deficiencies as Grounds 1 and 2 Modified Worm’s cavity 725 is obstructed by <i>electrical contacts</i> DEMONSTRATIVE EXHIBIT – NOT EVIDENCE 45
86	Petitioners object to the citations to EX2003, 45 (cited as “Reply 30”) as introducing new evidence and improper new argument because the identified portion of the EX2003, 45 was not discussed or identified in Petitioners’ Reply at 30 nor did Patent Owner discuss EX2003, 45 in its Sur-Reply.

	Secondary Considerations: JUUL System Practices ‘123 Patent - JUUL System’s employs two pressure sensors that are used as a single sensor: Air enters via the device and pod interface and is drawn through the device in communication with the pressure sensors and then through the JUULpod. There are two pressure sensors, one which measures ambient and the other which measures airpath pressure. When the microcontroller interprets readings from the two sensors as a differential pressure profile resembling a puff, it signals the JUUL Device to deliver regulated power to the heating coil. Reply 30 Reply 30 - Petitioner argues that the JUUL System does not have a gasket “around” the pressure sensor, since it only covers one of the sensor components. - This ignores the claim language DEMONSTRATIVE EXHIBIT – NOT EVIDENCE – PROTECTIVE ORDER MATERIAL - AEO 86
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Date: March 18, 2025

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 18th, 2025, the foregoing
**PETITIONERS' OBJECTIONS TO PATENT OWNER'S
DEMONSTRATIVE EXHIBITS FOR ORAL ARGUMENT** was served via
electronic mail, upon the following:

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