

Filed on behalf of: Serendia, LLC

Entered: May 6, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ENDYMED MEDICAL LTD. AND ENDYMED MEDICAL, INC.,¹
Petitioner,

v.

SERENDIA, LLC,
Patent Owner.

Case IPR2024-00386
Patent 9,480,836

PATENT OWNER’S OBJECTIONS TO PETITIONER’S EVIDENCE

¹ The Board, in IPR2024-00842, joined EndyMed Medical Ltd. and EndyMed Medical Inc. (“EndyMed”) as petitioners to this proceeding.

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner Serendia, LLC submits the following objections to evidence submitted by Petitioner EndyMed. Patent Owner's objections apply equally to Petitioner's reliance on this evidence in any subsequently filed documents or further proceedings in this matter. These objections are timely, having been filed and served within five business days of service of evidence. Notwithstanding these objections, Patent Owner expressly reserves the right to rely on any evidence submitted by Petitioner, including on the ground that such evidence constitutes a party admission.

Objections

Exhibit 1043

Patent Owner objects to this exhibit as inadmissible hearsay under FRE 801 and 802 not falling under any exception, and as improper expert testimony under FRE 702 and 703, to the extent it impermissibly acts as a conduit for hearsay, including the hearsay objected to herein, and does not rely on the kinds of facts or data that experts in the relevant fields would reasonably rely on in forming an opinion on the subject without providing the underlying facts, data, and other required disclosures.

Patent Owner further objects to this exhibit for lack of foundation and lack of personal knowledge under FRE 602, and as improper lay testimony under FRE 701, to the extent it offers testimony in areas outside of Dr. Woloszko's area of expertise

or fails to properly provide the underlying facts, data, and other required disclosures.

Exhibit 1045

Patent Owner objects to Petitioner's filing of the deposition of Dr. dan der Weide, Ex. 1045, without the additional exhibits introduced at his deposition that are referenced in the deposition transcript (Exhibits 8-10 to the deposition transcript). *See* 37 C.F.R. § 42.6 ("Each exhibit must be filed with the first document in which it is cited except as the Board may otherwise order.").

Exhibit 1046-1048

Patent Owner objects to these exhibits as not properly authenticated under FRE 901 because Petitioner has not presented sufficient evidence to show that they are authentic or self-authenticating under FRE 902. To the extent Petitioner relies on these documents for the truth of the matter asserted, Patent Owner objects to these exhibits as inadmissible hearsay under FRE 801 and 802 that do not fall under any exceptions, including those of FRE 803, 804, 805, or 807.

Patent Owner also objects to Petitioner's identification of both a filed hearing transcript and a served Sudbeck article with the same exhibit number, Exhibit 1047. Likewise, Patent Owner also objects to Petitioner's identification of both a Wilson article and a Kirsch article with the same expert number, Exhibit 1048.

In addition, Patent Owner objects to Petitioner's submission of Exhibit 1047 without the referenced slides. *See* 37 C.F.R. § 42.6 ("Each exhibit must be filed with the first document in which it is cited except as the Board may otherwise order.").

Respectfully submitted,

Dated: May 6, 2025

By: / Charles H. Sanders /

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 6th day of May, 2025, a true and correct copy of the foregoing **Patent Owner's Objections to Petitioner's Evidence** was served by electronic mail on Petitioner's lead and backup counsel at the following email addresses:

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