

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**DR. REDDY'S LABORATORIES, S.A. AND
DR. REDDY'S LABORATORIES, INC.,**
Petitioners,
v.

EYE THERAPIES, LLC,
Patent Owner.

Case No.: IPR2024-00563

U.S. Patent No.: 11,596,600

**PETITIONERS' OBJECTIONS TO PATENT OWNER'S EVIDENCE
SUBMITTED WITH PATENT OWNER'S RESPONSE**

Pursuant to 37 C.F.R. § 42.64(b)(1) and the Federal Rules of Evidence (“FRE”), Dr. Reddy’s Laboratories S.A. and Dr. Reddy’s Laboratories, Inc. (collectively, “Petitioners”) object to the admissibility of the following evidence filed by Patent Owner Eye Therapies, LLC (“Patent Owner”) on December 3, 2024, with its Patent Owner’s Response.

Petitioners’ objections are timely under 37 C.F.R. § 42.64(b)(1) because they are being filed and served within five business days of service of the Patent Owner’s Response and exhibits. *See* IPR2024-00563 at Paper 21. Petitioners’ objections provide notice to Patent Owner that Petitioners may move to exclude these exhibits under 37 C.F.R. § 42.64(c).

1. Exhibit 2041

Petitioners object to Exhibit 2041 under FRE 402 and 403 because any probative value is substantially outweighed by needlessly presenting cumulative evidence or confusing the issues.

2. Exhibits 2045, 2052–2062, 2065–2067, 2068, 2076, 2084, 2095, 2109, 2156–2159, 2161–2168, 2176–2187, 2190–2208, 2221, 2222, 2233, and 2268

Petitioners object to Exhibits 2045, 2052–2062, 2065–2067, 2068, 2076, 2084, 2095, 2109, 2156–2159, 2161–2168, 2176–2187, 2190–2208, 2221, 2222, 2233, and 2268 under FRE 402 and 403 because any probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues,

wasting time, or needlessly presenting cumulative evidence. Petitioners object to Exhibits 2045, 2052–2062, 2065–2067, 2068, 2076, 2084, 2095, 2109, 2156–2159, 2161–2168, 2176–2187, 2190–2208, 2221, 2222, 2233, and 2268 under FRE 802 as inadmissible hearsay, and not within any hearsay exception. Petitioners also object to Exhibits 2045, 2052–2062, 2065–2067, 2068, 2076, 2084, 2095, 2109, 2156–2159, 2161–2168, 2176–2187, 2190–2208, 2221, 2222, 2233, and 2268 under FRE 901 as lacking authentication.

3. Exhibits 2063, 2064, 2069–2075, 2077, 2078, 2106, 2125, 2131–2136, 2146, 2148–2151, 2216, and 2217

Petitioners object to Exhibits 2063, 2064, 2069–2075, 2077, 2078, 2106, 2125, 2131–2136, 2146, 2148–2151, 2216, and 2217 under FRE 402 and 403 because any probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Petitioners object to Exhibits 2063, 2064, 2069–2075, 2077, 2078, 2106, 2125, 2131–2136, 2146, 2148–2151, 2216, and 2217 under FRE 802 as inadmissible hearsay, and not within any hearsay exception. Petitioners also object to Exhibits 2063, 2064, 2069–2075, 2077, 2078, 2106, 2125, 2131–2136, 2146, 2148–2151, 2216, and 2217 under FRE 901 as lacking authentication.

4. Exhibit 2083

Petitioners object to Exhibit 2083 under FRE 402 and 403 because any probative value is substantially outweighed by the danger of unfair prejudice,

confusing the issues, wasting time, or needlessly presenting cumulative evidence. Petitioners also object to Exhibit 2083 under FRE 802 as inadmissible hearsay, and not within any hearsay exception. In addition, Petitioners object to Exhibit 2083 under FRE 901 as lacking authentication.

5. Exhibits 2160, 2171, 2210–2212, and 2214

Petitioners object to Exhibits 2160, 2171, 2210–2212, and 2214 under FRE 402 and 403 because any probative value is substantially outweighed by needlessly presenting cumulative evidence or confusing the issues. Petitioners also object to Exhibits 2160, 2171, 2210–2212, and 2214 under FRE 802 as inadmissible hearsay, and not within any hearsay exception. Petitioners also object to Exhibits 2160, 2171, 2210–2212, and 2214 under FRE 901 as lacking authentication.

6. Exhibits 2087, 2088, 2126, 2127, and 2130

Petitioners object to Exhibits 2087, 2088, 2126, 2127, and 2130 under FRE 402 and 403 because any probative value is substantially outweighed by needlessly presenting cumulative evidence or confusing the issues. Petitioners also object to Exhibits 2087, 2088, 2126, 2127, and 2130 under FRE 802 as inadmissible hearsay, and not within any hearsay exception. Petitioners also object to Exhibits 2087, 2088, 2126, 2127, and 2130 under FRE 901 as lacking authentication.

7. Exhibit 2093

Petitioners object to Exhibit 2093 under FRE 402 and 403 because any probative value is substantially outweighed by the danger of unfair prejudice,

confusing the issues, wasting time, or needlessly presenting cumulative evidence. Petitioners object to Exhibit 2093 under FRE 702, 703, and 705 as improper expert testimony to the extent it does not sufficiently set forth the bases for the testimony provided. Petitioners also object to Exhibit 2093 as improper expert testimony under 37 C.F.R. § 42.65. In addition, Petitioners also object to Exhibit 2093 under FRE 701 as improper opinion testimony by a lay witness.

8. Exhibits 2223, 2224, 2225, 2226, 2228, and 2229

Petitioners object to Exhibits 2223, 2224, 2225, 2226, 2228, and 2229 under FRE 702, 703, and 705 as improper expert testimony to the extent they do not sufficiently set forth the bases for the testimony provided. Petitioners also object to 2223, 2224, 2225, 2226, 2228, and 2229 as improper expert testimony under 37 C.F.R. § 42.65. Petitioners object to the paragraphs in Exhibits 2223, 2224, 2225, 2226, 2228, and 2229 that cite to and rely on objected-to exhibits for the reasons explained for the objected-to exhibits.

9. Exhibit 2227

Petitioners object to Exhibit 2227 under FRE 402 and 403 because any probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Petitioners object to Exhibit 2227 under FRE 702, 703, and 705 as improper expert testimony to the extent it does not sufficiently set forth the bases for the testimony

provided. Petitioners also object to Exhibit 2227 as improper expert testimony under 37 C.F.R. § 42.65. Petitioners also object to Exhibit 2227 under FRE 701 as improper opinion testimony by a lay witness. Petitioners object to the paragraphs in Exhibit 2227 that cite to and rely on objected-to exhibits for the reasons explained for the objected-to exhibits.

10. Exhibit 2230

Petitioners object to Exhibit 2230 under FRE 402 and 403 because any probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Petitioners also object to Exhibit 2230 under FRE 701 as improper opinion testimony by a lay witness. Petitioners object to the paragraphs in Exhibit 2230 that cite to and rely on objected-to exhibits for the reasons explained for the objected-to exhibits.

11. Exhibits 2245–2267, and 2269

Petitioners object to Exhibits 2245–2267, and 2269 under FRE 402 and 403 because any probative value is substantially outweighed by needlessly presenting cumulative evidence or confusing the issues. Petitioners also object to Exhibits 2245–2267, and 2269 under FRE 802 as inadmissible hearsay, and not within any hearsay exception.

12. Exhibits 2271 and 2272

Petitioners object to Exhibits 2087, 2088, 2126, 2127, and 2130 under FRE

402 and 403 because any probative value is substantially outweighed by needlessly presenting cumulative evidence or confusing the issues.

Respectfully submitted,

December 10, 2024

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CERTIFICATE OF SERVICE

I, Linnea P. Cipriano, certify that I caused to be served a true and correct copy of the foregoing **PETITIONERS' OBJECTIONS TO PATENT OWNER'S EVIDENCE SUBMITTED WITH PATENT OWNER'S RESPONSE** by email, as follows:

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