

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CEVA SANTÉ ANIMALE S.A.,
EGG-CHICK AUTOMATED TECHNOLOGIES S.A.S, and
CEVA ANIMAL HEALTH, LLC

Petitioner,

v.

TARGAN, INC.,
Patent Owner.

Case No. IPR2024-00595
U.S. Patent No. 10,806,124

PATENT OWNER'S NOTICE OF OBJECTIONS TO EVIDENCE

I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner Targan, Inc. (“Patent Owner”), submits the following objections to Petitioner Ceva Santé Animale S.A., Egg-Chick Automated Technologies S.A.S, and Ceva Animal Health, LLC’s (“Petitioner”) Exhibit 1008. As required by 37 C.F.R. § 42.62, Patent Owner’s objections below apply the Federal Rules of Evidence (“FRE”).

II. OBJECTIONS

B. Objections to Exhibit 1008 – Expert Declaration of Shawn LeCroy

Grounds for Objection: FRE 401-403, 701-702, 801-803, 37 C.F.R. § 42.23.

Patent Owner objects to the admissibility of certain portions of Exhibit 1008 under FRE 401-403. Patent Owner objects to Exhibit 1008 to the extent that it is not cited in Petitioners’ Reply, including but not limited to paragraphs 1-11, 13, 17-23, 26-27, 29, 35-36, 38, 48-50. Because Petitioners’ Reply does not rely on those portions of Exhibit 1008, they are not relevant to the instituted grounds of review. Further, to the extent the uncited portions of Exhibit 1008 are deemed relevant, their admission would be unduly prejudicial, misleading, and a waste of time in view of the fact that they are not cited in Petitioners’ Reply.

Patent Owner also objects to the admissibility of Ex. 1008 under FRE 701-702 to the extent Mr. LeCroy offers unsupported opinions and/or opinions outside the scope of his expertise. Patent Owner also objects to the admissibility of Exhibit 1008 under FRE 801-803 to the extent it includes hearsay.

Patent Owner further objects to Exhibit 1008 under 37 C.F.R. § 42.23(b) to the extent it contains impermissible new evidence cited in Petitioners' Reply in support of new arguments that were not made in the Petition, including, but not limited to, paragraphs 12-21, 23-26, 28, 30-34, 36-37, 39-47, and 51. The Petition was not supported by any expert declaration and Exhibit 1008, submitted with Petitioners' Reply for the first time, contains opinions which should have been included for Petitioners' *prima facie* case yet were not.

Date: February 19, 2024

By: /Raymond N. Nimrod/

Raymond N. Nimrod
Reg. No. 31,987
Quinn Emanuel Urquhart & Sullivan
LLP
295 5th Avenue, 9th Floor
New York, New York 10016
Phone: (212) 849-7142
Fax: (212) 849-7100
raynimrod@quinnemanuel.com
Attorney for Patent Owner Targan, Inc.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned hereby certify that the foregoing document was served on February 19, 2025 by e-mailing copies to:

Lead Counsel	Back-Up Counsel
Andrew M. Ollis Reg. No. 40,749 Oblon McClelland, Maier & Neustadt, LLP 1940 Duke Street Alexandria, VA 22314 cpdocketollis@oblon.com cpdocketsignore@oblon.com clai@oblon.com	Philippe JC Signore Reg. No. 43,922 Cristina B. Lai Reg. No. 79,800 Oblon, McClelland, Maier & Neustadt, LLP 1940 Duke Street Alexandria, VA 22314 cpdocketollis@oblon.com cpdocketsignore@oblon.com clai@oblon.com

Date: February 19, 2024

By: /Raymond N. Nimrod/

Raymond N. Nimrod
Reg. No. 31,987
James M. Glass
Reg. No. 46,729
Matthew Robson (*pro hac*)
Quinn Emanuel Urquhart & Sullivan
LLP
295 5th Avenue, 9th Floor
New York, New York 10016
Phone: (212) 849-7142
Fax: (212) 849-7100
raynimrod@quinnemanuel.com
jimglass@quinnemanuel.com
matthewrobson@quinnemanuel.com

Trevor J. Quist
Reg. No. 75,856
Quinn Emanuel Urquhart & Sullivan
LLP
2755 E. Cottonwood Parkway, Suite
430
Salt Lake City, Utah 84121
Phone: (801) 515-7300
Fax: (801) 515-7400
trevorquist@quinnemanuel.com

Brian Drozd
Reg. No. 55,130
Williams Mullen, P.C.
301 Fayetteville St., Suite 1700
Raleigh, NC 27601
Phone: (919) 981-4000
Fax: (919) 981-4300
bdrozd@williamsmullen.com

Attorneys for Patent Owner Targan,
Inc.