UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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Merck Sharp & Dohme LLC,
Petitioner

v.

The Johns Hopkins University,
Patent Owner

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IPR2024-00625
Patent No. 11,339,219

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**PETITIONER'S OBJECTIONS TO PATENT OWNER'S EXHIBITS**

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner submits the following objections to exhibits served by Patent Owner in Case No. IPR2024-00625. Petitioner's objections apply equally to Patent Owner's reliance on the exhibit in any subsequently-filed documents. These objections are timely, having been served within five business days after service of Patent Owner's evidence. 37 C.F.R. § 42.64(b)(1).

**Exhibit 2072**

Petitioner objects to Exhibit 2072 to the extent it relies on any other objectionable exhibit.

**Exhibit 2076**

Petitioner objects to Exhibit 2076 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2076 under FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2077**

Petitioner objects to Exhibit 2077 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon

which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2077 under FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2078**

Petitioner objects to Exhibit 2078 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2078 under FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2079**

Petitioner objects to Exhibit 2079 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2079 under

FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2090**

Petitioner objects to Exhibit 2090 to the extent it relies on any other objectionable exhibit.

**Exhibit 2121**

Petitioner objects to Exhibit 2121 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2121 under FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2122**

Petitioner objects to Exhibit 2122 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2122 under

FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2123**

Petitioner objects to Exhibit 2123 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2123 under FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2130**

Petitioner objects to Exhibit 2130 to the extent it relies on any other objectionable exhibit.

**Exhibit 2136**

Petitioner objects to Exhibit 2136 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2136 under

FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2137**

Petitioner objects to Exhibit 2137 to the extent it relies on any other objectionable exhibit.

**Exhibit 2167**

Petitioner objects to Exhibit 2167 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.

**Exhibit 2168**

Petitioner objects to Exhibit 2168 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.

**Exhibit 2169**

Petitioner objects to Exhibit 2169 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon

which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.

**Exhibit 2170**

Petitioner objects to Exhibit 2170 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.

**Exhibit 2171**

Petitioner objects to Exhibit 2171 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.

**Exhibit 2172**

Petitioner objects to Exhibit 2172 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair

prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.

**Exhibit 2173**

Petitioner objects to Exhibit 2173 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.

**Exhibit 2174**

Petitioner objects to Exhibit 2174 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.

**Exhibit 2176**

Petitioner objects to Exhibit 2176 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2176 under

FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2181**

Petitioner objects to Exhibit 2181 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2181 under FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2182**

Petitioner objects to Exhibit 2182 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2182 under FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2183**

Petitioner objects to Exhibit 2183 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2183 under FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2184**

Petitioner objects to Exhibit 2184 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2184 under FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2187**

Petitioner objects to Exhibit 2187 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair

prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2187 under FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2188**

Petitioner objects to Exhibit 2188 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2188 under FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2191**

Petitioner objects to Exhibit 2191 to the extent it relies on any other objectionable exhibit.

**Exhibit 2237**

Petitioner objects to Exhibit 2237 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly

presenting cumulative evidence. Further, Petitioner objects to Exhibit 2237 under FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2253**

Petitioner objects to Exhibit 2253 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2253 under FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

**Exhibit 2254**

Petitioner objects to Exhibit 2254 under FRE 402 and 403 because the exhibit is not relevant and its probative value with respect to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. Further, Petitioner objects to Exhibit 2254 under FRE 802 because it contains out of court statements that Patent Owner relies on for their truth, thus constituting impermissible hearsay.

Respectfully submitted,

Dated: January 21, 2025

By: /Naveen Modi/
Naveen Modi (Reg. No. 46,224)
Counsel for Petitioner

**CERTIFICATE OF SERVICE**

I hereby certify that on January 21, 2025, I caused a true and correct copy of the foregoing Petitioner's Objections to Patent Owner's Exhibits to be served by electronic mail on Patent Owner at the following correspondence address of record:

Nicholas Stephens
Grace J. Kim
Todd G. Miller
Matthew L. Chun
Frank Scherkenbach
Corrin Drakulich
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By: /Naveen Modi/
Naveen Modi (Reg. No. 46,224)
Counsel for Petitioner