

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GODBERSEN-SMITH CONSTRUCTION COMPANY
d/b/a GOMACO CORPORATION,
Petitioner,

v.

GUNTERT & ZIMMERMAN CONST. DIV., INC.,
Patent Owner.

Case IPR2024-00835
U.S. Patent No. 11,535,318

**PATENT OWNER'S OBJECTIONS TO EVIDENCE
UNDER 37 C.F.R. § 42.64**

Patent Owner Guntert & Zimmerman Const. Div., Inc. (“G&Z,” or “Patent Owner”) submits the following objections to Petitioner’s exhibits. These objections are timely, having been filed within 5 business days of Petitioner’s Reply filed on May 21, 2025. *See* Paper 24. G&Z objects to the following exhibits under Federal Rules of Evidence (“FRE”) 401-403 as being not relevant, prejudicial, confusing, or a waste of time:

Exhibit No.	Description
Ex. 1162	Excerpts of the Deposition Transcript of Ronald Guntert, Jr. in <i>Guntert & Zimmerman Construction Division, Inc. v. Gomaco Corp.</i> , 20-cv-4007-CJW-KEM (N.D. Iowa, July 28, 2020)
Ex. 1167	Guntert & Zimmerman Customer Message Regarding Paver
Ex. 1168	Guntert & Zimmerman 2010 Change Order
Ex. 1169	Guntert & Zimmerman 2010 Amendment Log
Ex. 1170	Guntert & Zimmerman 2010 Calculation of Costs
Ex. 1186	Deposition Transcript of Ronald Guntert, Jr., in <i>Godbersen-Smith Construction Company d/b/a GOMACO Corporation v. Guntert & Zimmerman Const. Div., Inc.</i> , Case Nos. IPR2024-00835 and PGR2024-00026 (PTAB April 30, 2025)
Ex. 1187	Petitioner's Notice of Deposition of Mr. Ronald Guntert, Jr., Case IPR2024-00835, Patent No. 11,535,318
Ex. 1188	Petitioner's Notice of Deposition of Mr. Ronald Guntert, Jr., Case PGR2024-00026, Patent No. 11,772,723
Ex. 1189	Declaration of Ronald M. Guntert, Jr., Case IPR2024-00835, U.S. Patent No. 11,535,318

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Exhibit No.	Description
Ex. 1191	Declaration of Ronald M. Guntert., Jr., Case IPR2020-01698, U.S. Patent No. 10,029,749
Ex. 1194	<i>CVC Equipment LLC, a California Limited Liability Company v. Guntert & Zimmerman, et al.</i> Complaint filed in the Superior Court for the State of California, County of Sacramento
Ex. 1195	<i>Anthony Allega Cement Contractor, Inc., an Ohio Corporation v. Guntert & Zimmerman, et al.</i> , Complaint for breach of contract and unjust enrichment; demand for jury trial
Ex. 1196	<i>Anthony Allega Cement Contractor, Inc., an Ohio Corporation v. Guntert & Zimmerman, et al.</i> , Notice Of Entry Of Default Judgment for Sum Certain, Case No. 2:22-cv-01806-JAM-DB, Eastern District of California
Ex. 1197	<i>Teichert Asset Group, Inc., a Delaware Corporation v. Guntert & Zimmerman, et al.</i> , Complaint filed in the Superior Court for the State of California, County of San Joaquin
Ex. 1198	<i>Zachry Construction Corporation v. Guntert & Zimmerman, et al.</i> Plaintiffs' Original Petition filed in Bexar County District Court, Texas
Ex. 1199	<i>Emery Sapp & Sons, Inc. v. Guntert & Zimmerman, et al.</i> , Plaintiffs' Motion For Default Judgment, Case No. 4:24-cv-00081-BCW, Western District of Missouri
Ex. 1200	<i>Emery Sapp & Sons, Inc. v. Guntert & Zimmerman, et al.</i> , Order, Case No. 4:24-cv-00081-BCW, Western District of Missouri
Ex. 1201	<i>Independence Excavating, Inc. v. Guntert & Zimmerman et al.</i> , Complaint filed in the Eastern District of California, Case No. 2:22-cv-00182-WBS-KJN
Ex. 1202	<i>Total Quality Logistics, LLP v. Guntert & Zimmerman et al.</i> , Complaint filed in the Common Pleas Court for the State of Ohio, County of Clermont

Exhibit No.	Description
Ex. 1203	<i>Total Quality Logistics, LLP v. Guntert & Zimmerman et al.</i> , Judgment Entry in the Common Pleas Court for the State of Ohio, County of Clermont
Ex. 1204	<i>Coast 2 Coast Logistics, LLP v. Guntert & Zimmerman, et al.</i> , Complaint filed in the Circuit Court for the State of Oregon, County of Jackson
Ex. 1205	<i>Allied Electronics, Inc. v. Guntert & Zimmerman et al.</i> , Complaint filed in the Superior Court for the State of California, County of San Joaquin
Ex. 1206	<i>BNSF Logistics, LLC v. Guntert & Zimmerman Const Div, et al.</i> , Complaint filed in the Superior Court for the State of California, County of San Joaquin
Ex. 1207	<i>Avitek Recruit, Inc. v. Guntert & Zimmerman, et al.</i> , Complaint filed in the Superior Court for the State of California, County of San Joaquin
Ex. 1208	<i>Yes Online, Inc. v. Guntert & Zimmerman, et al.</i> , Complaint filed in the Superior Court for the State of California, County of San Joaquin

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Respectfully submitted,

Dated: May 29, 2025

/James Hannah/

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Attorneys for Patent Owner

CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), and pursuant to agreement by the parties that filing with the Board through the Patent Trial and Appeal Case Tracking System (P-TACTS) constitutes electronic service, that service was made on the Petitioner as detailed below.

<i>Date of service</i>	May 29, 2025
<i>Manner of service</i>	Electronic Filing with the Board
<i>Documents served</i>	PATENT OWNER'S OBJECTIONS TO EVIDENCE UNDER 37 C.F.R. § 42.64
<i>Persons Served</i>	Finnegan, Henderson, Farabow, Garret & Dunner, LLP: Jason E. Stach Luke J. McCammon David K. Mroz Sonja W. Sahlsten Robert K. High

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