

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ABBOTT DIABETES CARE INC.,
Petitioner,

v.

DEXCOM, INC.,
Patent Owner.

IPR2024-00859
Patent 11,510,625

**PATENT OWNER'S OBJECTIONS TO
PETITIONER'S PRE-INSTITUTION EXHIBITS**

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner Dexcom, Inc. serves the following objections to Exhibit 1004, which was filed with Petitioner Abbott Diabetes Care Inc.'s Petition for *Inter Partes* Review on May 9, 2024. These objections are timely filed within ten (10) business days of the institution of trial on November 20, 2024.

I. EXHIBIT 1004 - DECLARATION OF CAMERON RIVIERE, PH.D.

Patent Owner objects to Dr. Riviere's opinions as inadmissible under at least FRE 602 (2011), FRE 702 (2023), and 37 C.F.R. § 42.62 as to all statements and opinions expressed therein regarding the prior art references, their comparison to the challenged claims, anticipation or obviousness of the challenged claims, the defining characteristics of a POSITA, and the understanding and knowledge of a POSITA, on account of Petitioner's failure to show by a preponderance of the evidence that Dr. Riviere has the necessary relevant expertise or that his testimony satisfies the other criteria of Rule 702 as amended.

Respectfully submitted,

Dated: December 5, 2024

By: /Andrew M. Mason/

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CERTIFICATE OF SERVICE

The undersigned certifies that on December 5, 2024, a complete copy of **PATENT OWNER'S OBJECTIONS TO PETITIONER'S PRE-INSTITUTION EXHIBITS** was served on counsel for Petitioner via email as follows:

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