

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INARI AGRICULTURE, INC.,
Petitioner,

v.

CORTEVA AGRISCIENCE LLC,
Patent Owner.

Case IPR2024-01014
Patent No. 8,901,378

PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE

The Federal Rules of Evidence (“FRE”) generally apply to proceedings before the Board. 37 C.F.R. § 42.62(a). Pursuant to 37 C.F.R. § 42.64(b)(1) and the FRE, Patent Owner Corteva Agriscience LLC (“Corteva” or “Patent Owner”) submits the following objections to certain exhibits submitted by Petitioner Inari Agriculture, Inc. (“Inari” or “Petitioner”). These objections apply equally to Petitioner’s reliance on these exhibits in any subsequently filed documents. These objections are timely filed and served within five business days of Petitioner’s service of evidence filed in conjunction with Petitioner’s Reply to Patent Owner’s Response (Paper 28).

Exhibit 1072

Corteva objects to Exhibit 1072 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit relates to a district court patent proceeding applying different legal standards. It also does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1072 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1073

Corteva objects to Exhibit 1073 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit relates to a district court patent proceeding applying different legal standards. It also does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1073 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1074

Corteva objects to Exhibit 1074 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1074 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1075

Corteva objects to Exhibit 1075 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1075 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1076

Corteva objects to Exhibit 1076 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1076 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1077

Corteva objects to Exhibit 1077 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1077 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1078

Corteva objects to Exhibit 1078 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1078 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1079

Corteva objects to Exhibit 1079 under FRE 106 because this exhibit appears to be an excerpt.

Corteva also objects to Exhibit 1079 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva further objects to Exhibit 1079 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1080

Corteva objects to Exhibit 1080 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1080 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1081

Corteva objects to Exhibit 1081 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1081 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1082

Corteva objects to Exhibit 1082 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1082 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1083

Corteva objects to Exhibit 1083 under FRE 106 because this exhibit appears to be an excerpt.

Corteva also objects to Exhibit 1083 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva further objects to Exhibit 1083 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1084

Corteva objects to Exhibit 1084 under FRE 106 because this exhibit appears to be an excerpt.

Corteva also objects to Exhibit 1084 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva further objects to Exhibit 1084 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1085

Corteva objects to Exhibit 1085 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. It also does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1085 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1086

Corteva objects to Exhibit 1086 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1086 as lacking authenticity (*see* FRE 901). Petitioner offers no explanation of whether Exhibit 1086, a conference transcript

from Westlaw's website, is the same conference transcript that was allegedly published by FD Wire on March 22, 2007.

Corteva also objects to Exhibit 1086 under FRE 1002, which requires production of the original of a document to prove its contents. Petitioner offers no explanation of whether Exhibit 1086, a conference transcript published on Westlaw's website, is the same conference transcript that was allegedly published by FD Wire on March 22, 2007.

Corteva also objects to Exhibit 1086 under 37 C.F.R. § 42.23(b) as improper reply evidence.

Corteva further objects to Exhibit 1086 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1087

Corteva objects to Exhibit 1087 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1087 under 37 C.F.R. § 42.23(b) as improper reply evidence.

Corteva further objects to Exhibit 1087 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1088

Corteva objects to Exhibit 1088 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1088 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1089

Corteva objects to Exhibit 1089 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1089 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1090

Corteva objects to Exhibit 1090 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1090 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1091

Corteva objects to Exhibit 1091 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1091 as lacking authenticity (*see* FRE 901).

Corteva also objects to Exhibit 1091 under 37 C.F.R. § 42.23(b) as improper reply evidence.

Corteva further objects to Exhibit 1091 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1092

Corteva objects to Exhibit 1092 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1092 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1093

Corteva objects to Exhibit 1093 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1093 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1094

Corteva objects to Exhibit 1094 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1094 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1095

Corteva objects to Exhibit 1095 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1095 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1096

Corteva objects to Exhibit 1096 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1096 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Exhibit 1097

Corteva objects to Exhibit 1097 under FRE 401-403 as lacking relevance to the grounds on which the Board has instituted *inter partes* review. In particular, this exhibit does not make any fact more or less probable than it would be without it. This exhibit is unfairly prejudicial, confuses the issues, misleads the factfinder, and/or is a waste of time.

Corteva also objects to Exhibit 1097 as inadmissible hearsay (*see* FRE 801 and 802), that does not fall under any exceptions, including FRE 803, 804, 805, and 807.

Respectfully submitted,

Dated: July 18, 2025

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Patent Owner's Objections to Petitioner's Evidence** was served on July 18, 2025, via e-mail directed to counsel of record for the Petitioner at the following:

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Petitioner has agreed to electronic service.

Dated: July 18, 2025

/William Esper/

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