UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NIKE, INC.,

Petitioner

v.

SHERRYWEAR LLC,

Patent Owner.

Case No. IPR2024-01125

U.S. Patent No. 9,808,036

PETITIONER'S OBJECTIONS TO EVIDENCE SUBMITTED WITH PATENT OWNER'S PRELIMINARY RESPONSE

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Nike, Inc. objects to the admissibility of evidence submitted with Patent Owner's Preliminary Response (Papers 8 and 12) as follows:

Exhibit No.	Objection(s)
SW-2001	Improper Expert Testimony (FRE 702) – It has not been established that Ms. Goff is a POSA under the Board's accepted definition. Moreover, Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – Ms. Goff's signed declaration (¶¶ 6–7, 15–21) constitutes inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. 37 C.F.R. § 42.51 – Patent Owner has not yet offered Ms. Goff for a deposition in connection with this matter. To the extent Ms. Goff is not made available for a deposition, Petitioners object to the use of SW-2001 for any purpose in this proceeding.
SW-2002	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.
SW-2003	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence.

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	Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.
SW-2004	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.
SW-2006	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.
SW-2007	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.
SW-2008	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear

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	who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2009	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2010	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value

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SW-2011	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is.

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	Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2012	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2013	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant

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SW-2014	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2015	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered

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SW-2016	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2017	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any

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SW-2018	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is.

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	Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2019	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2020	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not

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SW-2021	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2022	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case.

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SW-2023	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.

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SW-2024	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2025	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent

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	Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2026	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2027	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus.

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SW-2028	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2029	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case.

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SW-2030	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.

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SW-2031	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2032	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence

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SW-2033	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2034	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. The bra analyzed is not a bra at issue in this case. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. It is unclear who prepared this document. The mapping of the patent claims onto the product is not sufficient to show nexus.

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SW-2035	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence.
SW-2036	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence.
SW-2037	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the document is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2038	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any

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SW-2039	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Authentication (FRE 901/902) – Patent Owner has not produced evidence sufficient to support a finding that the document is what Patent Owner claims it is. For example, Patent Owner refers to W-2039 as "NIKE Patent Application 15/597,364," but the document states on its face that it is U.S. Patent No. 10, 010,117. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2040	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence.
SW-2041	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Authentication (FRE 901/902) – Patent Owner has not produced evidence sufficient to support a finding that the document is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.

Exhibit No.	Objection(s)
SW-2042	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Authentication (FRE 901/902) – Patent Owner has not produced evidence sufficient to support a finding that the document is what Patent Owner claims it is. For example, Patent Owner refers to W-2042 as "NIKE Patent Application 15/718,171," but the document states on its face that it is U.S. Patent No. 9,943,120. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2043	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2044	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair

Exhibit No.	Objection(s)
	prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2045	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2046	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any

Exhibit No.	Objection(s)
	fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2047	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.

Exhibit No.	Objection(s)
SW-2048	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2049	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its

Exhibit No.	Objection(s)
	contents.
SW-2050	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2051	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is.

Exhibit No.	Objection(s)
	Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2052	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2053	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent

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	Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2054	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2055	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions.

Exhibit No.	Objection(s)
	Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2056	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2057	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – This item is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. Improper Expert Testimony (FRE 702) – Patent Owner has not established that the declarant is sufficiently qualified in the relevant

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	field to provide expert opinions. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2058	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2059	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2060	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value

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	of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2061	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2062	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.

Exhibit No.	Objection(s)
SW-2063	Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Authentication (FRE 901) – Patent Owner has not produced evidence sufficient to support a finding that the charted item is what Patent Owner claims it is. Foundation (FRE 602) – Patent Owner has not provided testimony to establish personal knowledge of this exhibit sufficient to prove its contents.
SW-2064	Improper Expert Testimony (FRE 702) – It has not been established that Ms. Goff is a POSA under the Board's accepted definition. Moreover, Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Relevance (FRE 401, 402, 403) – Patent Owner has not identified any fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – Ms. Goff's signed declaration (¶¶ 6–7, 15–21) constitutes inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. 37 C.F.R. § 42.51 – Patent Owner has not yet offered Ms. Goff for a deposition in connection with this matter. To the extent Ms. Goff is not made available for a deposition, Petitioners object to the use of SW-2001 or SW-2064 for any purpose in this proceeding.
SW-2066	Improper Expert Testimony (FRE 702) – It has not been established that Ms. Goff is a POSA under the Board's accepted definition. Moreover, Patent Owner has not established that the declarant is sufficiently qualified in the relevant field to provide expert opinions. Relevance (FRE 401, 402, 403) – Patent Owner has not identified any

Exhibit No.	Objection(s)
	fact made more or less probable by this exhibit. Any probative value of this exhibit is substantially outweighed by the danger of unfair prejudice, confusing the issues, wasting time, or needlessly presenting cumulative evidence. Hearsay (FRE 801/802) – Ms. Goff's signed declaration (¶¶ 6–7, 15–21) constitutes inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein. 37 C.F.R. § 42.51 – Patent Owner has not yet offered Ms. Goff for a deposition in connection with this matter. To the extent Ms. Goff is not made available for a deposition, Petitioners object to the use of SW-2001 or SW-2066 for any purpose in this proceeding.

Date: February 26, 2025

/s/ W. Todd Baker

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CERTIFICATE OF SERVICE

In compliance with 37 C.F.R. § 42.6(e), the undersigned hereby certifies that a copy of the foregoing "PETITIONER'S OBJECTIONS TO EVIDENCE SUBMITTED WITH PATENT OWNER'S PRELIMINARY RESPONSE" was sent electronically on February 26, 2025, directed to counsel of the Patent Owner at mdrayton@caldwelllaw.com and jameson@caldwelllaw.com.

Date: February 26, 2025

/s/ W. Todd Baker

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