

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Tommy John, Inc.,
Petitioner,

v.

Pakage Apparel Inc.,
Patent Owner.

Case IPR2024-01163
Patent 10,834,974

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

Filed on behalf of Petitioner:
Joseph J. Raffetto (Reg. No. 66,218)
Scott Hughes (Reg. No. 68,385)
HOGAN LOVELLS US LLP
555 13th Street N.W.
Washington, D.C. 20004
Telephone: 202.637.5600
Facsimile: 202.637.5710

Pursuant to the Board’s September 3, 2025, Order Setting Oral Argument (the “Order”) (Paper 24), Petitioner Tommy John, Inc. (“Petitioner” or “Tommy John”) hereby submits its objections to Patent Owner’s Hearing Demonstratives (EX2015). The parties met and conferred in good faith but were unable to reach an agreement regarding the objections listed below:

- **Slides 5-6:** These slides contain citations to, and use images excerpted from, the www.saxxunderwear.com website that are not in any paper, and thus constitute improper new arguments and evidence.¹

¹ In accordance with the Order, a copy of the objected-to portions of Patent Owner’s demonstratives are included in Appendix A hereto. (Paper 24 at 4.)

Dated: October 7, 2025

Respectfully submitted,

/s/ Joseph J. Raffetto

Joseph J. Raffetto (Reg. No. 66,218)

Scott Hughes (Reg. 68,385)

HOGAN LOVELLS US LLP

555 13th Street N.W.

Washington, D.C. 20004

Telephone: 202.637.5600

Facsimile: 202.637.5910

Counsel for Petitioner Tommy John Inc.

Appendix A

KITSCH (SAXX)

In 2006, Trent Kitsch was on a fishing expedition and after spending hours in a cold, clammy ocean suit he knew there had to be a better way to protect his package from uncomfortable chafe.

As a former baseball player, he imagined a catcher's mitt hammock design turned upside down and built into his underwear.





After the fishing trip, and with the hammock idea still percolating, he worked with a seamstress and designer — and himself as the fit model — to create a paneled fabric hammock that separated his balls from his legs.

Fourteen prototypes later, the BallPark Pouch® and SAXX Underwear were ready to change men's lives.

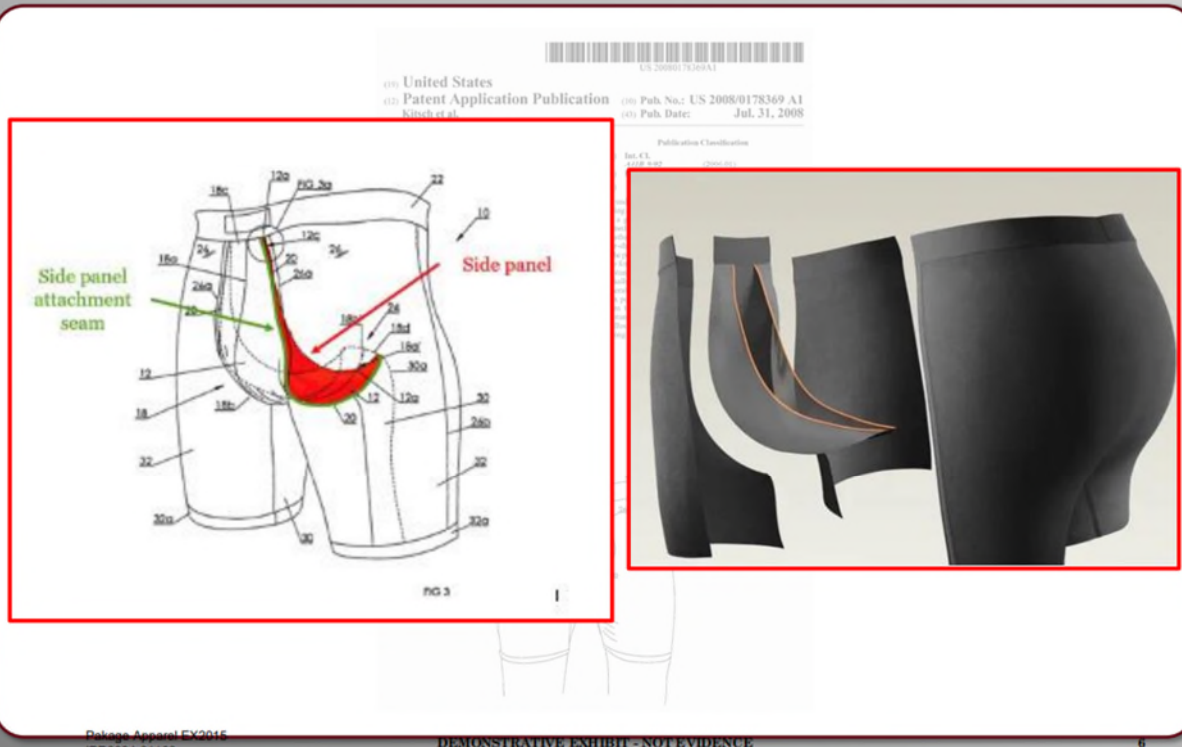
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DEMONSTRATIVE EXHIBIT - NOT EVIDENCE

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Source: see POR at 9-11; <https://www.saxxunderwear.com/pages/about-us>; see Pet. Reply at 6 n.2; see PO Sur-Reply at 5 n.3

KITSCH (SAXX)



Source: POR at 10; EX 1007 at Fig. 3; <https://www.saxxunderwear.com/pages/about-us>; see Pet. Reply at 6 n.2; see PO Sur-Reply at 5 n.3

Certificate of Service

The undersigned certifies that, in accordance with 37 C.F.R. § 42.6(e), the foregoing **PETITIONER’S OBJECTIONS TO PATENT OWNER’S DEMONSTRATIVES** was served on October 7, 2025, electronically via e-mail upon the following parties:

John F. Luman, III (Lead Counsel)
Timothy E. Bond (Back-up Counsel)
luman@dtlawyers.com
tim@dtlawyers.com
sara@dtlawyers.com
kasia@dtlawyers.com
DANIELS & TREDENNICK, PLLC
6363 Woodway
Suite 700
Houston, TX 77057

/s/ Jason Bradley
Jason Bradley
Hogan Lovells US LLP
555 Thirteenth Street NW
Washington, DC 20004