UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AVANOS MEDICAL, INC.
Petitioner,

v.

STRATUS MEDICAL, LLC,
Patent Owner.

IPR2024-01212
U.S. Patent No. 10,952,664

PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE SUBMITTED WITH THE REPLY

Pursuant to 37 C.F.R. § 42.64(b)(1), the Patent Owner, Stratus Medical, LLC ("Stratus"), hereby makes the following objections to the Petitioner's evidence submitted with its Reply (Paper 30) filed September 5, 2025.

Exhibits 1044 and 1053

1. Stratus objects to Exhibits 1044 and 1053 (confidential and public redacted versions of the same document) under Rules 401-403 of the Federal Rules of Evidence as irrelevant. Exhibits 1044 and 1053 fail to make any fact of consequence more or less probable in this proceeding. To the extent Exhibit 1044 or Exhibit 1053 might be considered relevant at all, its probative value is outweighed by countervailing considerations, such as unfair prejudice, confusing the issues, misleading the Board, and wasting time.

Exhibit 1049

2. Stratus objects to Exhibit 1049 under Rules 401-403 of the Federal Rules of Evidence as irrelevant. Exhibit 1049 fails to make any fact of consequence more or less probable in this proceeding. To the extent Exhibit 1049 might be considered relevant at all, its probative value is outweighed by countervailing considerations, such as unfair prejudice, confusing the issues, misleading the Board, and wasting time.

3. Stratus further objects to Exhibit 1049 under Rules 901-902 of the Federal Rules of Evidence. Exhibit 1049 is not self-authenticating and the petitioner has not produced evidence sufficient to support a finding that the exhibit is what the petitioner claims it is. Therefore, under Rules 901-902 of the Federal Rules of Evidence, Exhibit 1049 is inadmissible.

Exhibit 1055

4. Stratus objects to Exhibit 1055 under Rules 401-403 of the Federal Rules of Evidence as irrelevant. Exhibit 1055 fails to make any fact of consequence more or less probable in this proceeding. To the extent Exhibit 1055 might be considered relevant at all, its probative value is outweighed by countervailing considerations, such as unfair prejudice, confusing the issues, misleading the Board, and wasting time.

5. Stratus further objects to Exhibit 1055 under Rules 801-802 of the Federal Rules of Evidence because Exhibit 1055 includes inadmissible hearsay that does not fall within the scope of any hearsay exception.

6. Stratus further objects to Exhibit 1055 under Rules 901-902 of the Federal Rules of Evidence. Exhibit 1055 is not self-authenticating and the petitioner has not produced evidence sufficient to support a finding that the exhibit is what the

petitioner claims it is. Therefore, under Rules 901-902 of the Federal Rules of Evidence, Exhibit 1055 is inadmissible.

Exhibit 1058

7. Stratus objects to Exhibit 1058 under Rules 401-403 of the Federal Rules of Evidence as irrelevant. Exhibit 1058 fails to make any fact of consequence more or less probable in this proceeding. To the extent Exhibit 1058 might be considered relevant at all, its probative value is outweighed by countervailing considerations, such as unfair prejudice, confusing the issues, misleading the Board, and wasting time.

8. Stratus further objects to Exhibit 1058 under Rules 801-802 of the Federal Rules of Evidence because Exhibit 1058 includes inadmissible hearsay that does not fall within the scope of any hearsay exception.

9. Stratus further objects to Exhibit 1058 under Rules 901-902 of the Federal Rules of Evidence. Exhibit 1058 is not self-authenticating and the petitioner has not produced evidence sufficient to support a finding that the exhibit is what the petitioner claims it is. Therefore, under Rules 901-902 of the Federal Rules of Evidence, Exhibit 1058 is inadmissible.

Exhibit 1062

10. Stratus objects to Exhibit 1062 under Rule 106 of the Federal Rules of Evidence because it appears to be an incomplete excerpt of a longer document.

11. Stratus further objects to Exhibit 1062 under Rules 901-902 of the Federal Rules of Evidence. Exhibit 1062 is not self-authenticating and the petitioner has not produced evidence sufficient to support a finding that the exhibit is what the petitioner claims it is. Therefore, under Rules 901-902 of the Federal Rules of Evidence, Exhibit 1062 is inadmissible.

Exhibit 1063

12. Stratus objects to Exhibit 1063 under Rule 106 of the Federal Rules of Evidence because it appears to be an incomplete excerpt of a longer document.

13. Stratus further objects to Exhibit 1063 under Rules 901-902 of the Federal Rules of Evidence. Exhibit 1063 is not self-authenticating and the petitioner has not produced evidence sufficient to support a finding that the exhibit is what the petitioner claims it is. Therefore, under Rules 901-902 of the Federal Rules of Evidence, Exhibit 1063 is inadmissible.

Respectfully submitted,

Date: September 12, 2025

By: /M.C. Phillips/
Matthew C. Phillips
Registration No. 43,403

CERTIFICATE OF SERVICE

I hereby certify that on September 12, 2025, copies of the foregoing PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE SUBMITTED WITH THE REPLY and all documents filed with it were served via electronic mail, as agreed to by counsel, upon the following counsel for the petitioner:

Christopher Kelly:	ckelly@mcciplaw.com
Gregory Carlin:	gcarlin@mcciplaw.com
Warren Thomas:	wthomas@mcciplaw.com
Lee Hamilton:	lhamilton@mcciplaw.com

/ M.C. Phillips /
Matthew C. Phillips
Reg. No. 43,403