

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARISTA NETWORKS, INC.,

Petitioner,

v.

ORCKIT CORPORATION,

Patent Owner.

IPR2024-01239

Patent No. 10,652,111

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

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Arista Networks, Inc. (“Petitioner”) objects to the following exhibits filed by Patent Owner Orckit Corporation (“Patent Owner”) with its Patent Owner Response (“POR,” Paper No. 16) based on the following Federal Rules of Evidence (“FRE”) and other provisions. These objections are timely, as they are being made within five business days of service of the evidence (June 18, 2025). The following chart lists Petitioner’s objections to the admissibility of certain evidence (identified below) that is included within or accompanies the POR and the basis for those objections.

<u>Exhibit</u>	<u>Description</u>	<u>Objections</u>
2009	Declaration of Miguel Gomez	FRE 602: Petitioner objects to Exhibit 2009, including at least ¶¶41, 56-64, and 66-69, because Patent Owner did not introduce sufficient evidence to establish the witness has personal knowledge of the matters discussed. FRE 701: Petitioner objects to Exhibit 2009, including at least ¶¶41, 56-64, and 66-69, as improper testimony by a lay witness under FRE 701. Patent Owner has not established the declarant as an expert witness in the subject matter discussed in these paragraphs.

<u>Exhibit</u>	<u>Description</u>	<u>Objections</u>
		FRE 702/703: Petitioner objects to Exhibit 2009, including at least ¶¶41, 56-64, and 66-69, as improper testimony under FRE 702 and 703. The testimony is based on insufficient facts or data, is not the product of reliable principles and methods, does not reliably apply the appropriate principles and methods to the facts of the case, and is not commensurate with the scope of the claims.
2011	Deposition Transcript of Paul Min, Ph.D. (May 30, 2025)	FRE 106: Petitioner objects to Exhibit 2011 because the transcript is incomplete. Exhibit 2011 does not include the witness's signature page or signed errata sheet. Petitioner also objects to Exhibit 2011 under 37 C.F.R. § 42.53(f)(5) because the transcript does not include the witness's signature page. Petitioner preserves its objections made on the record during Dr. Min's deposition.

Case IPR2024-01239
Patent No. 10,652,111

Respectfully Submitted,

June 26, 2025

/Eliot D. Williams/
Eliot D. Williams (Reg. No. 50,822)
BAKER BOTTS L.L.P.
700 K Street, N.W.
Washington, D.C. 20001
202.639.1334
eliot.williams@bakerbotts.com
Attorneys for Petitioner, Arista Networks,
Inc.

CERTIFICATE OF SERVICE

In accordance with 37 C.F.R. § 42.6(e), the undersigned certifies that on June 26, 2025, a complete and entire copy of the **PETITIONER’S OBJECTIONS TO EVIDENCE SUBMITTED WITH PATENT OWNER’S RESPONSE** was served on Patent Owner via email at the correspondence addresses below:

James T. Carmichael (Reg. No. 45,306)
jim@carmichaelip.com

Stephen McBride (Reg. No. 78,396)
stevemcbride@carmichaelip.com

Minghui Yang (Reg. No. 71,989)
mitch@carmichaelip.com

George Stamatopoulos (*pro hac vice*)
george.stamatopoulos@kobrekim.com

Zachary Ritz (*pro hac vice*)
zachary.ritz@kobrekim.com

Jessica Fender (Reg. No. 59,364)
jessica.fender@kobrekim.com

Orckit-IPRs@Carmichaelip.com

Date: June 26, 2025

/Eliot D. Williams/
Eliot D. Williams (Reg. No. 50,822)
BAKER BOTTS L.L.P.
700 K Street, N.W.
Washington, D.C. 20001
202.639.1334
eliot.williams@bakerbotts.com
Attorneys for Petitioner