UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CMS CEPCOR LTD., and
CMS CEPCOR AMERICAS LLC,
Petitioner,

v.

SANDVIK INTELLECTUAL PROPERTY AB,
Patent Owner.

Patent No. 9,827,568

Inter Partes Review No. IPR2024-01380

PATENT OWNER'S OBJECTIONS TO PRE-INSTITUTION EVIDENCE

Sandvik Intellectual Property AB ("Sandvik" or "Patent Owner") hereby objects to the following evidence that was submitted by CMS Cepcor Ltd., and CMS Cepcor Americas LLC (collectively "CMS Cepcor" or "Petitioner") with its Petition for *Inter Partes* Review ("Petition"; Paper 2) in the above- captioned proceeding. In accordance with 37 C.F.R. § 42.64(b)(1), these objections are being timely filed and served within ten (10) business days of the institution of the trial by the Patent and Trial Appeal Board ("Board"), which is reflected in the Board's Institution Decision dated March 18, 2025 (Paper 8).

A. Exhibit 1002 (Declaration of David Smith)

Patent Owner objects to Exhibit 1002 as irrelevant, lacking foundation, assuming facts not in evidence, calling for legal conclusions, and mischaracterizing evidence. Patent Owner further objects to Exhibit 1002 to the extent that it includes expert opinions for which the factual bases have not been disclosed, for which Mr. Smith does not have personal knowledge (Fed. R. Evid (FRE) 602), and to the extent that Mr. Smith's opinions constitute unreliable expert testimony under FRE 702 and 703.

Patent Owner objects to the portions of Exhibit 1002 not discussed or cited in the Petition as not being relevant to the Petition. If the objected to material was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such

information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner. Accordingly, at least those paragraphs of Exhibit 1002 are objected to as not being relevant to any issue in this proceeding.

B. Exhibit 1003 (LinkedIn Profile – Niklas Åberg)

Patent Owner objects to Exhibit 1003 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit's alleged publication is after U.S Patent No. 9,827,568's (the "'568 patent") priority date.

Patent Owner objects to Exhibit 1003 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon this profile at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1003 was publicly accessible in its present form as of the alleged publication. Petitioner fails to offer any evidence that Exhibit 1003 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1003 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1003 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to

respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

C. Exhibit 1004 (LinkedIn Profile – Fredrik Rosdahl)

Patent Owner objects to Exhibit 1004 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit's alleged publication date is after the '568 patent's priority date.

Patent Owner objects to Exhibit 1004 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon this profile at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1004 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1004 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1004 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1004 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to

respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

D. Exhibit 1005 (Nature Article)

Patent Owner objects to Exhibit 1005 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit's alleged publication date is after the '568 patent's priority date.

Patent Owner objects to Exhibit 1005 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1005 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1005 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1005 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1005 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1005 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to

respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

E. Exhibit 1006 (Asphalt Article)

Patent Owner objects to Exhibit 1006 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit's alleged publication date is after the '568 patent's priority date.

Patent Owner objects to Exhibit 1006 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1006 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1006 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1006 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1006 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1006 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to

respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

F. Exhibit 1007 (Stone Crushed)

Patent Owner objects to Exhibit 1007 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit's alleged publication date is after the '568 patent's priority date.

Patent Owner objects to Exhibit 1007 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1007 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1007 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1007 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1007 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1007 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to

respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

G. Exhibit 1008 (Untitled Image)

Patent Owner objects to Exhibit 1008 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit is undated, has no text and appears to be after the '568 patent's priority date.

Patent Owner objects to Exhibit 1008 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1008 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1008 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1008 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1008 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1008 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to

respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

H. Exhibit 1009 (History of Rock Crushers)

Patent Owner objects to Exhibit 1009 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit is undated and appears to be after the '568 patent's priority date.

Patent Owner objects to Exhibit 1009 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1009 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1009 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1009 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1009 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1009 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to

respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

I. Exhibit 1010 (Untitled Image)

Patent Owner objects to Exhibit 1010 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit is undated and appears to be after the '568 patent's priority date.

Patent Owner objects to Exhibit 1010 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1010 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1010 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1010 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1010 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1010 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to

respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

J. Exhibit 1012 (History of Rock Crushers)

Patent Owner objects to Exhibit 1012 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit is undated and appears to be after the '568 patent's priority date. It also appears to be duplicative to Exhibit 1009.

Patent Owner objects to Exhibit 1012 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1012 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1012 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1012 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1012 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1012 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to

respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

K. Exhibit 1013 (Gyratory Crushers Explained)

Patent Owner objects to Exhibit 1013 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit is undated and appears to be after the '568 patent's priority date.

Patent Owner objects to Exhibit 1013 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1013 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1013 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1013 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1013 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1013 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to

respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

L. Exhibit 1014 (Gyratory Crushers Explained)

Patent Owner objects to Exhibit 1014 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit is undated and appears to be after the '568 patent's priority date. It also appears to be duplicative to Exhibit 1013.

Patent Owner objects to Exhibit 1014 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1014 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1014 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1014 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1014 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1014 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to

respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

M. Exhibit 1018 (Lap Fitting)

Patent Owner objects to Exhibit 1018 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.)

Patent Owner objects to Exhibit 1018 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1018 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1018 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1018 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1018 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1018 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to respond to Petitioner's unstated contentions (if any) regarding the same. Such

information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

N. Exhibit 1019 (Surplus Center)

Patent Owner objects to Exhibit 1019 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit is undated and appears to be after the '568 patent's priority date.

Patent Owner objects to Exhibit 1019 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1019 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1019 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1019 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1019 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1019 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to respond to Petitioner's unstated contentions (if any) regarding the same. Such

information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

O. Exhibit 1020 (Untitled Image)

Patent Owner objects to Exhibit 1020 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit is undated and appears to be after the '568 patent's priority date.

Patent Owner objects to Exhibit 1020 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1020 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1020 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1020 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1020 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1020 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to respond to Petitioner's unstated contentions (if any) regarding the same. Such

information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

P. Exhibit 1021 (Untitled Image)

Patent Owner objects to Exhibit 1021 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit is undated and appears to be after the '568 patent's priority date.

Patent Owner objects to Exhibit 1021 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1021 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1021 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1021 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1021 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1021 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to respond to Petitioner's unstated contentions (if any) regarding the same. Such

information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

Q. Exhibit 1022 (Ashdown Tooling)

Patent Owner objects to Exhibit 1022 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit is undated and appears to be after the '568 patent's priority date.

Patent Owner objects to Exhibit 1022 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1022 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1022 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1022 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1022 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1022 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to respond to Petitioner's unstated contentions (if any) regarding the same. Such

information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

R. Exhibit 1023 (Machine Design Data Handbook)

Patent Owner objects to Exhibit 1023 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit appears to be undated.

Patent Owner objects to Exhibit 1023 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1023 at the time of the ’568 patent’s priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1023 was publicly accessible in its present form as of the alleged publication date. Petitioner fails to offer any evidence that Exhibit 1023 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1023 as being incomplete which results in a “misleading impression created by taking matters out of context.”

Patent Owner objects to Exhibit 1023 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1023 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to

respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

For at least these reasons, Exhibit 1023 is irrelevant and unduly prejudicial. (*See* FRE 401-403.) The probative value is substantially outweighed by the danger of the unfair prejudice, confusing the issues, misleading the decisionmaker, undue delay, wasting time, or needlessly presenting cumulative evidence. (FRE 403.)

S. Exhibit 1024 (CGTK)

Patent Owner objects to Exhibit 1024 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit appears to be after the '568 patent's priority date.

Patent Owner objects to Exhibit 1024 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1024 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1024 was publicly accessible in its present form as of the

alleged publication date. Petitioner fails to offer any evidence that Exhibit 1024 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1024 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1024 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

T. Exhibit 1025 (National Library of Medicine)

Patent Owner objects to Exhibit 1025 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit appears to be after the '568 patent's priority date.

Patent Owner objects to Exhibit 1025 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1025 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1025 was publicly accessible in its present form as of the

alleged publication date. Petitioner fails to offer any evidence that Exhibit 1025 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1025 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1025 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

U. Exhibit 1026 (Pacific Marine & Industrial)

Patent Owner objects to Exhibit 1026 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit is undated and appears to be after the '568 patent's priority date.

Patent Owner objects to Exhibit 1026 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1026 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1026 was publicly accessible in its present form as of the

alleged publication date. Petitioner fails to offer any evidence that Exhibit 1026 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1026 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1026 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

V. Exhibit 1027 (SAE)

Patent Owner objects to Exhibit 1027 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit is undated and appears to be after the '568 patent's priority date.

Patent Owner objects to Exhibit 1027 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1027 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1027 was publicly accessible in its present form as of the

alleged publication date. Petitioner fails to offer any evidence that Exhibit 1027 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1027 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1027 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

W. Exhibit 1028 (Engineers Edge)

Patent Owner objects to Exhibit 1028 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit is undated and appears to be after the '568 patent's priority date.

Patent Owner objects to Exhibit 1028 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1028 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1028 was publicly accessible in its present form as of the

alleged publication date. Petitioner fails to offer any evidence that Exhibit 1028 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1028 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1028 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

X. Exhibit 1035 (SKF)

Patent Owner objects to Exhibit 1035 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit appears to be undated and after the '568 patent's priority date.

Patent Owner objects to Exhibit 1035 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1035 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1035 was publicly accessible in its present form as of the

alleged publication date. Petitioner fails to offer any evidence that Exhibit 1035 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1035 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1035 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

Y. Exhibit 1036 (Hydraulically Fitted Hubs, Theory and Practice)

Patent Owner objects to Exhibit 1036 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit appears to be undated and possibly after the '568 patent's priority date.

Patent Owner objects to Exhibit 1036 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1036 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1036 was publicly accessible in its present form as of the

alleged publication date. Petitioner fails to offer any evidence that Exhibit 1036 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1036 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1036 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

Z. Exhibit 1037 (Hydraulic Removal of Coupling Hubs—Keyed and Keyless)

Patent Owner objects to Exhibit 1037 as being irrelevant and/or unduly prejudicial. (*See* FRE 401-403.) The exhibit appears to be undated and possibly after the '568 patent's priority date.

Patent Owner objects to Exhibit 1037 as lacking foundation and lacking authentication under FRE 901. For example, Petitioner offers no evidence that a person of ordinary skill in the art would have relied upon Exhibit 1037 at the time of the '568 patent's priority date.

Patent Owner objects to this exhibit as containing hearsay to the extent that Petitioner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Petitioner fails to offer sufficient evidence that Exhibit 1037 was publicly accessible in its present form as of the

alleged publication date. Petitioner fails to offer any evidence that Exhibit 1037 is what Petitioner claims it to be.

Patent Owner objects to Exhibit 1037 as not being discussed or cited in the Petition and thus not relevant to any issue in this proceeding. If Exhibit 1037 was not discussed or cited in the Petition, Patent Owner has had no fair opportunity to respond to Petitioner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Patent Owner.

Dated: April 1, 2025

Respectfully submitted,

By: /Mehran Arjomand/

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Counsel for Patent Owner

Certificate of Service (37 C.F.R. § 42.6(e)(4))

I hereby certify that the attached PATENT OWNER'S OBJECTIONS TO PRE-INSTITUTION EVIDENCE was served as of the below date on the Petitioner via e-mail (by agreement) to the following counsel of record:

Terry M. Sanks (Reg. No. 45,069)
tsanks@firstiniplaw.com
Beusse Sanks, PLLC
157 E New England Ave., Ste. 375
Winter Park, FL 32789

Dated: April 1, 2025

/Mehran Arjomand/
Mehran Arjomand