

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CMS CEP COR LTD. and CMS CEP COR AMERICAS LLC,
Petitioner,

v.

SANDVIK INTELLECTUAL PROPERTY AB,
Patent Owner.

Patent No. 11,014,090

Inter Partes Review No. IPR2024-01381

**PATENT OWNER'S OPPOSITION TO PETITIONER'S MOTION TO
EXCLUDE EVIDENCE**

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Patent Owner's Exhibit List

Exhibit #	Exhibit Description
2001	Declaration of Harri Kytömaa, PH.D.
2002	Curriculum Vitae and Publications of Dr. Kytömaa
2003	Richard G. Budynas & J. Keith Nisbett, <i>Shigley's Mechanical Engineering Design</i> , Ninth Edition (2011) (Chapter 3)
2004	Andrew W. Batchelor & Gwidon W. Stachowiak, <i>Engineering Tribology</i> , Second Edition (2001)
2005	Robert C. Juvinall & Kurt M. Marshek, <i>Fundamentals of Machine Component Design</i> , 3rd Edition (2000) (Chapter 9)
2006	Oscar J. Horger, <i>Metals Engineering Design</i> , First Edition (1953)
2007	Second Declaration of Harri Kytömaa, Ph.D.
2008	EP Application No. 13192402.9
2009	U.S. Application No. 15/035,774
2010	Third Declaration of Harri Kytömaa, Ph.D.
2011	Deposition Transcript of David Smith dated June 11, 2025
2012	Merriam-Webster's Collegiate Dictionary, 11th ed. (2012) (definition of "end")
2013	The Oxford English Dictionary, 2nd ed. (1989) (definition of "indented")
2014	PCT Application No. PCT/EP2014/060594
2015	Richard G. Budynas & J. Keith Nisbett, <i>Shigley's Mechanical Engineering Design</i> , Ninth Edition (2011) (Chapter 8)
2016	John H. Bickford, <i>An Introduction to the Design and Behavior of Bolted Joints</i> , 3rd Edition (1995) (excerpts from Chapter 2)

Exhibit #	Exhibit Description
2017	Robert C. Juvinall & Kurt M. Marshek, <i>Fundamentals of Machine Component Design</i> , 3rd Edition (2000) (excerpts from Chapter 10)
2018	Board’s email of October 15, 2025, extending DUE DATE 3 and portion of DUE DATE 5 pertaining to Petitioner’s sur-reply related to the motion to amend
2019	Second deposition transcript of David Smith, dated October 24, 2025
2020	Fourth Declaration of Harri Kytömaa, Ph.D.
2021	Third Deposition Transcript of David Smith dated December 3, 2025
2022	Fifth Declaration of Harri Kytömaa, Ph.D.
2023	U.S. Patent No. 4,034,922 to Coxhill (“Coxhill ’922”)
2024	Innovative Combustion Technologies, Inc. “Optimum Operation and Maintenance of EL Pulverizers”
2025	https://www.rockprocessing.sandvik/en/products/stationary-crushers/stationary-cone-crushers/ch440-cone-crusher/ (Last accessed Dec. 15, 2025).
2026	Sandvik CH440 Crusher Maintenance Instructions
2027	YouTube Video entitled Sandvik Parts Evolution (https://www.youtube.com/watch?v=P-6xpGLxv2U)
2028	U.S. Patent No. 4,027,825 (“Coxhill ’825”)
2029 [NEW]	First Deposition Transcript of Harri Kytömaa, Ph.D., dated November 19, 2025
2030	Second Deposition Transcript of Harri Kytömaa, Ph.D., dated

Exhibit #	Exhibit Description
[NEW]	December 22, 2025
2031 [NEW]	Affidavit of M. Ching from Internet Archive dated December 24, 2025
2032 [NEW]	Sandvik CH440 Crusher Maintenance Instructions (2015)

I. INTRODUCTION

In its Reply (Paper 38), Patent Owner Sandvik asserted that the substitute claims are patentable because, among other reasons, Piepho (Ex. 1018) is not analogous art. Dr. Kytömaa provided testimony explaining the differences between Piepho’s coal pulverizer and ’090 patent’s gyratory crusher and how Mr. Smith, Petitioner’s expert, erred in his obviousness analysis. (Ex. 2022.) Recognizing that Dr. Kytömaa has personal experience with coal pulverizers and rock crushers, unlike Mr. Smith, Petitioner now seeks to exclude essentially the entirety of Dr. Kytömaa’s testimony and four exhibits accompanying the Reply. (Paper 44, 2 (seeking to exclude paragraphs 13–58 of Ex. 2022 and Exhibits 2024–2027).) Petitioner’s Motion is meritless, because it misstates or ignores the record and relies on caselaw that favors the *admission* of evidence. Patent Owner respectfully requests that the Board deny the Motion.

II. PARAGRAPHS 17-21 AND 29–33 OF EX. 2022 ARE ADMISSIBLE

Petitioner seeks to exclude paragraphs 17–21 and 29–33 of Dr. Kytömaa’s declaration (Ex. 2022) because his testimony in these paragraphs is based on hearsay as opposed to “firsthand” knowledge. (Paper 44, 3–7.) Petitioner has the burden of showing the testimony is inadmissible. (37 C.F.R. § 42.20(c).) It fails to meet that burden.

As a preliminary matter, Petitioner misstates the record. It contends that these paragraphs “contain a discussion of specifics for ‘ideal’ embodiments of the patent at issue.” (Paper 44, 3.) But the declaration’s only mention of “ideal” is in conjunction with Dr. Kytömaa testifying about the *optimum coal size* of a Babcock & Wilcox Company (“B&W”) Typel EL coal pulverizer. (Ex. 2022, ¶ 17; *see also* Ex. 2024, 2 (“Optimum raw coal feed size for EL pulverizers is ¾" to 1".”).) There was no testimony on “ideal embodiments” in any of these cited paragraphs. To the contrary, Dr. Kytömaa testified at length about the ’090 *patent*’s gyratory crusher in relation to *Piepho*’s coal pulverizer. (*See, e.g.*, Ex. 2022, ¶¶ 20–35.) His testimony was grounded to the patent and prior art at issue—not any “ideal embodiments.”

A. FRE 602 Does Not Apply To Expert Testimony

Petitioner first seeks to exclude paragraphs 17–21 and 29–33 under Fed. R. Evid. (“FRE”) 602. Petitioner contends that Dr. Kytömaa does not have the requisite personal knowledge and instead relied on Exhibits 2024–2027. (Paper 44, 6–8.) But Petitioner fails to note that FRE 602 has a specific carve out for *expert testimony*: “This rule [602] does not apply to a witness’s expert testimony under Rule 703.” (Fed. R. Evid. 602.) Dr. Kytömaa was tendered as a technical expert and testified as an expert. (Ex. 2022, ¶ 1.) FRE 602 thus cannot be a basis to exclude the cited paragraphs of Dr. Kytömaa’s declaration.

B. Dr. Kytömaa Has Personal Knowledge Of Coal Pulverizers And Rock Crushers, Unlike Mr. Smith

Even if FRE 602 does apply (which it does not), Dr. Kytömaa testified that all his statements were based on his own knowledge at original page 36 of his declaration. (Ex. 2022, p. 36.) This testimony should put an end to Petitioner's challenge under FRE 602. Petitioner, however, asserts that Dr. Kytömaa has "a legally incorrect view of what [this testimony at page 36] means." (Paper 44, 6.)

This contention is not only unsupported, without any citation to the record, but it is also wrong. Under cross-examination with respect to Ex. 2022, Dr. Kytömaa unequivocally testified that he had personal knowledge of coal pulverizers:

Q. Prior to being involved with this case, did you have any experience working with or opining on coal pulverizers?"

A. Yes.

Q. Could you elaborate on your experience?

A. Yeah. My involvement with coal pulverizers is really in the context of coal-fired power plants. The most recent project that I've worked of that kind was in Brazil, where there were issues associated with the

pulverizer, but generally there were issues with the power plant. That was just one of the issues. (Ex. 2030, 8:23–9:11.)¹

Similarly, at his first deposition, when Petitioner’s counsel asked Dr. Kytömaa if he had “any direct experience working with crushers,” he answered “yes.” (Ex. 2029, 4:20–5:13.)²

Dr. Kytömaa also testified, on direct testimony, about his experience with coal pulverizers and rock crushers:

I have also worked on coal handling equipment such as ball mills and crushers associated with coal mining and coal fired power plants. [¶] Indeed, while Mr. Smith has testified that he does not have two years of experience with rock crushers (Ex. 2011, 39:8–10), I do have experience with rock crushers and I have published in the field of comminution. (Ex. 2007, ¶¶ 16–17.)

Furthermore, Dr. Kytömaa showcased his personal knowledge of coal pulverizers and gyratory crushers and their operations—the focus of Exhibits 2024–2027—on cross-examination. He testified, without reliance on his

¹ Sandvik is submitting Dr. Kytömaa’s second deposition transcript with this filing, because its Opposition is due before the Sur-reply. (Paper 31, 6.)

² Petitioner submitted Dr. Kytömaa’s first deposition transcript as Ex. 1053 in the related IPR2024-01380 proceeding, but not in this proceeding.

declaration or other evidence, about the purposes of gyratory crushers and coal pulverizers and their operation in actual mines, including with respect to rock size. (See, e.g., Ex. 2030, 5:14–8:20, 25:24–28:19; see also 29:17–25.) All of this direct and cross-examination testimony undercuts Petitioner’s assertion that Dr. Kytömaa relied “solely on what he read” from Exhibits 2024–2027. (Paper 44, 6.) To the contrary, the record is replete with testimony as to Dr. Kytömaa’s personal knowledge—testimony that Petitioner conspicuously ignores in its Motion.³

To legally support its arguments, Petitioner primarily relies on *U.S. v. Householder*, 137 F.4th 454, 488 (6th Cir. 2025). (Paper 44, 3–4, 6.) But the Court there affirmed the *admission* of the testimony due to the witnesses’ personal knowledge. *Id.* *Householder* thus supports the *admission* of Dr. Kytömaa’s testimony. The other cases cited by Petitioner are readily distinguishable because the witnesses had no personal knowledge, unlike Dr. Kytömaa as discussed above. *U.S. v. Mandel*, 591 F.2d 1347, 1369 (4th Cir. 1979) (“the witness lacked the requisite first-hand knowledge”); *Kemp v. Balboa*, 23 F.3d 211, 213 (8th Cir. 1994) (“Maness had no personal knowledge that Kemp had failed to pick up his medication”); *Taxinet Corp. v. Leon*, 114 F.4th 1212, 1226 (11th Cir. 2024)

³ In contrast, Mr. Smith appears to have no experience with coal pulverizers. (Ex. 2011, 57:21–23; Ex. 2021, 65:5–16.)

(“owner must have some basis for providing an opinion that is his own”); *Rotec Indus. V. Mitsubishi Corp.*, 215 F.3d 1246, 1256 (Fed. Cir. 2000) (“Ledger does not claim to have personal knowledge that the meeting took place”). Thus, neither the record nor the case law supports Petitioner’s attempt to exclude paragraphs 17–21 and 29–33 of Ex. 2022 under FRE 602.

C. FRE 802 Does Not Apply To Expert Testimony From Dr. Kytömaa

Petitioner next contends that Exhibits 2024–2027 provide hearsay statements upon which Dr. Kytömaa relies. (Paper 44, 8.) As discussed *infra*, the statements are not hearsay under FRE 802 but, even if they were, Dr. Kytömaa may rely on inadmissible evidence as an expert witness for his opinions. FRE 703 provides:

An expert may base an opinion on facts or data in the case that the expert has been made aware of or personally observed. If experts in the particular field would reasonably rely on those kinds of facts or data in forming an opinion on the subject, they need not be admissible for the opinion to be admitted. But if the facts or data would otherwise be inadmissible, the proponent of the opinion may disclose them to the jury only if their probative value in helping the jury evaluate the opinion substantially outweighs their prejudicial effect. (Fed. R. Evid. 703.)⁴

⁴ The last sentence of FRE 703 is inapplicable to a Board proceeding, because the Board’s determination is not made by a jury. *Nestle Healthcare Nutrition, Inc. v.*

Exhibits 2024–2027 provide information on the operation of coal pulverizers and gyratory crushers. Ex. 2024 is a technical specification of a coal pulverizer, and Exhibits 2025–2027 provide technical, maintenance and operation information for gyratory crushers. Dr. Kytömaa—and Petitioner’s expert, Mr. Smith—testified that an expert would have reasonably relied on such exhibits.

For example, Ex. 2024 is a technical specification of B&W Type EL coal pulverizers. (Ex. 2024, 1 (“The Babcock and Wilcox EL pulverizers can provide outstanding pulverizer performance when optimum operational and maintenance practices are adhered to.”).) Piepho specifically refers to “B&W Type E and EL pulverizers” in its field of invention. (Ex. 1018, 1:5–8.) Accordingly, Dr. Kytömaa testified that an expert would look to a specification on B&W Type EL pulverizers to determine input and output rock size. (Ex. 2030, 9:12–11:15.)

Mr. Smith said the same. He repeatedly testified about searching for product information—from a “website” and “videos”—about B&W coal pulverizers:

Q. What do you recall reviewing Mr. Smith?

A. I remember going to the website, and looking at different pulverizers that they have, and locating—trying to locate the one referenced here.

Steuben Foods, Inc., IPR2015-00249, Paper 76 at 13 (P.T.A.B June 2, 2016); *see also* 37 C.F.R. § 42.62(b).

And I believe there were some videos, or the like, on that. But it's been several months.

Q. So were you looking at coal pulverizers that were made by the assignee of the Piepho patent, the Babcock & Wilcox company?

A. I believe so. (Ex. 2021, 74:2–11; *see also* Ex. 2011, 57:24–58:7.)

It would have been reasonable for an expert to consider similar technical specifications, websites and videos for gyratory crushers, *i.e.*, Exhibits 2025–2027. For example, on the output rock size of a gyratory crusher, Dr. Kytömaa testified that an equipment specification provides rock size information “with some degree of accuracy.” (Ex. 2030, 14:1–14.) That is, both experts found it reasonable to consider product information about coal pulverizers and gyratory crushers in reaching their opinions, and such evidence accordingly comes within the ambit of FRE 703 even if the evidence itself is inadmissible under FRE 802.

D. Petitioner Ignores The Record And Caselaw

Petitioner ignores *multiple* legal rules and testimonial passages to argue that Dr. Kytömaa's declaration (Ex. 2022) at paragraphs 17–21 and 29–33 should be excluded on the basis of FRE 602 and 802. It ignores that FRE 602 excludes expert testimony, that Dr. Kytömaa had personal knowledge of coal pulverizers and rock crushers, that *Householder* supports the *admission* of evidence, that FRE 703 allows for reliance on inadmissible evidence and that its own expert relied on product information from a “website” and “videos.” The Motion should be denied.

III. EXHIBITS 2024–2027 ARE ADMISSIBLE

Separate from its challenge to paragraphs 17–21 and 29–33 of Ex. 2022 relating to Exhibits 2024–2027, Petitioner challenges the admissibility of the exhibits themselves. (Paper 44, 9–10.) The challenge should be denied.

A. The Exhibits Are Authentic

“Authentication is a low bar, requiring only a rational basis that the exhibits are what they are asserted to be.” *Costar Reality Info., Inc. v. Clantech, Inc.*, IPR2022-00799, Paper 77 at 60 (P.T.A.B Nov. 21, 2023) (citation omitted). Each of Exhibits 2024–2027 meets this “low” bar based on the current record.⁵

Dr. Kytömaa authenticated Ex. 2024. He testified that Ex. 2024 is a technical specification that describes a B&W Type EL coal pulverizer. (Ex. 2022, ¶ 18.) He further testified, that based on his experience, Ex. 2024 has a publication date of February 2010. (Ex. 2022, ¶ 18.) Although Petitioner cross-examined Dr. Kytömaa with respect to Ex. 2022, Petitioner’s counsel never asked him a question about his authentication of Ex. 2024.

Moreover, Dr. Kytömaa’s testimony is corroborated by the Affidavit of Mina Ching. (Ex. 2031.) She testifies that the Wayback Machine archived web

⁵ Sandvik reserves its right to supplement the record given that its Opposition was due before its deadline to provide supplemental evidence. 37 C.F.R. § 42.64(b)(2).

pages from the B&W website, including at least pages from March 25 and December 12, 2010. (Ex. 2031, 5, 7.) Those pages have a figure nearly identical to the Type EL coal pulverizer in Ex. 2024. (*Compare* Ex. 2031, 5, *with* Ex. 2024, 1 (Figure 1).) On November 25, 2011, according to Ms. Ching, the Wayback machine further captured a technical specification for Type E and EL pulverizers that matches the content of Ex. 2024, including with respect to coal fines (200/50 mesh performance), recirculation of coal to grinding zone, ball and race/ring configuration, balls as wear elements, and spring bolt systems. (*Compare* Ex. 2031, 17–21, FIGS. 1, 3 *with* Ex. 2024, 1–5, FIGS. 1, 4–7.)

Given Dr. Kytömaa’s and Ms. Ching’s testimonies and the overlapping content of Exhibits 2024 and 2031, there can be no dispute that Ex. 2024 has been authenticated as a technical specification of a B&W Type EL pulverizer. Fed. R. Evid. 901(b)(4) (authentication if “[t]he appearance, contents, substance, internal patterns, or other distinctive characteristics of the item, taken together with all the circumstances”).)

The same conclusion should be reached with respect to Exhibits 2025 and 2027—a website and video from Sandvik relating to its gyratory crushers. Both of these exhibits illustrate or display Sandvik company logos. The website’s URL refers to Sandvik, and the video refers to Sandvik Construction in its title page. Petitioner also had the opportunity to cross-examine Dr. Kytömaa on these

exhibits. Under these circumstances, Exhibits 2025 and 2027 are authenticated at least under FRE 901(b)(4) or 902(7). *See SAP America, Inc. v. Lakshmi Arunachalam*, IPR2013-00195, Paper 60 at 22 (P.T.A.B Sept. 18, 2014) (admitting into evidence a website printout with circumstantial evidence including trademarks and URL links); *Continental Auto. Sys., Inc. v. Intellectual Ventures II, LLC*, IPR2022-01130, Paper 41 at 16 (P.T.A.B. Dec. 4, 2023) (authentication under FRE 902(7) when document bears distinctive indicia of authenticity).

Finally, Exhibit 2026 is a maintenance instruction manual for Sandvik's CH440 Crusher. As with Exhibits 2025 and 2027, the manual bears Sandvik's logo. It further provides, on page 2, a copyright date of 2019, a version number, and "Issue" date of April 4, 2024 and Sandvik company information. The first version of the manual bears a copyright date of 2014 and an "Issue" date of June 2, 2015. (Ex. 2032, p. 2.) Exhibits 2026 and 2032 have substantially the same content with respect to at least the replacement of the wear sleeve. (*Compare* Ex. 2032, p. 21 *with* Ex. 2026, p. 23.) Again, Dr. Kytömaa was subject to cross-examination as to Exhibit 2026. Under these circumstances, including its appearance and content, Ex. 2026 is authenticated as a Sandvik publication at least

under FRE 901(b)(4) and 902(7).⁶ *See Liberty Mutual Ins. Co. v. Progressive Casualty Ins. Co.*, CBM2012-00010, Paper 59 at 37 (P.T.A.B. Feb. 24, 2014) (document was “published in” a proceeding).

B. The Exhibits Are Not Inadmissible Hearsay

Petitioner next contends that Sandvik is relying on Exhibits 2024–2027 for the truth of the matters asserted therein in violation of the hearsay rule (FRE 802). (Paper 44, 9–10.) This argument is without merit.

First, Exhibits 2024–2026 serve a non-hearsay purpose of reflecting what a POSITA would have known. Exhibits 2024 and 2025 were cited for their disclosures relating to input and output rock sizes for coal pulverizers and gyratory crushers, while Exhibit 2026 was principally cited for a gyratory crusher’s main shaft sleeve being a “wear” component. (Ex. 2022, ¶¶ 17–19, 29.) These were known facts to a POSITA as both experts confirmed. Mr. Smith testified that a POSITA would have known about the prior art coal pulverizer in Piepho by looking at B&W product specifications:

Q. So were you looking at coal pulverizers that were made by the assignee of the Piepho patent, the Babcock & Wilcox company?

A. I believe so.

⁶ Ex. 2026 was submitted in the related proceeding, IPR2024-01380, as Ex. 2019. Petitioner did not object to Ex. 2019 and has not moved to exclude it in that IPR.

Q. And did you provide, in your earlier reports, what you found with regard to your search of the prior art that's mentioned in Piepho?

A. I would have to go back and look. I don't recall.

Q. So is it your understanding, that the prior art that's mentioned in Piepho is available to a person of ordinary skill in the art?

A. I would imagine that there is at least some information on it. (Ex. 2021, 74:8–21.)

With respect to gyratory crushers, Dr. Kytömaa similarly testified that a POSITA “would understand that rock crushers crush rocks and create an end product by virtue of the crushing process that are much larger than what a pulverizer would put out.” (Ex. 2030, 13:7–25.) And for a gyratory crusher main shaft sleeve being a wear element, Mr. Smith testified that, in his opinion, “gyratory crushers with wear sleeves were known in the art.” (Ex. 1002, ¶ 41; *see also* Ex. 1012, 3:48 (1974 patent referring to a “replaceable wear sleeve”).) Exhibits 2024–2026 thus were submitted to show what a POSITA knew—a non-hearsay purpose. *Liberty Mutual*, CBM2012-00010 at 37 (exhibits “serve a non-hearsay purpose for which they can be admitted—namely to show what one with ordinary skill in the art would have known”).

Second, even if Exhibits 2024–2027 are hearsay, multiple exceptions apply. All four exhibits are compilations that “are generally relied on by the public or by persons in particular occupations.” (Fed. R. Evid. 803(17).) As discussed above,

Mr. Smith and Dr. Kytömaa testified about using product information for coal pulverizers and gyratory crushers. *See, e.g., U.S. v. Grossman*, 614 F.2d 295, 297 (1st Cir. 1980) (product catalog relied upon by retailers admissible under FRE 803(17)).) Alternatively, the exhibits are admissible under FRE 807, given the totality of the circumstances. All four exhibits have indicia of trustworthiness as discussed above with respect to their authentication, including an affidavit from Ms. Ching for Exhibit 2024. The exhibits are evidence of product information, including providing “some degree of accuracy” for operational details such as input and output rock size. (Ex. 2030, 14:1–14.) And their admission would serve the interests of justice, because Mr. Smith testified that he relied upon product information at least in considering Piepho. It would be unfair for Petitioner’s expert to rely on a “website” and “videos” (Ex. 2021, 74:2–11), but then grant Petitioner’s motion to exclude such evidence based on hearsay.

Third, even if Exhibits 2024–2027 do not fall within a hearsay exception, the exhibits are still admissible under FRE 703 as discussed *supra*. The exhibits provide an explanation of the basis for Dr. Kytömaa’s opinions.

IV. THERE IS NO BASIS TO EXCLUDE OVER 30 PARAGRAPHS FROM DR. KYTÖMAA’S DECLARATION

Petitioner seeks to exclude over 30 paragraphs of Ex. 2022 based on mischaracterization of the record, purportedly by Dr. Kytömaa. (Paper 44, 10–12.)

But Petitioner only provides *two* examples—and those two examples reflect *Petitioner*, not Dr. Kytömaa, mischaracterizing the record.

First, Petitioner contends that Dr. Kytömaa mis-quoted Mr. Smith in conjunction with the benefits of the '090 patent, as reflected in Ex. 2027. (Paper 44, 11.) But Petitioner misreads the record. In paragraph 32, Dr. Kytömaa explains that the '090 patent concerns the problem of assembling and disassembling a wear sleeve from a main shaft of a gyratory crusher. He then cites Ex. 2027 and quotes Mr. Smith's testimony as *separate* "see also" cites, reflecting that Mr. Smith's testimony supports the proposition of the sentence, not Ex. 2027. Moreover, because Dr. Kytömaa expressly quotes Mr. Smith regarding "seating or assembling of the sleeve," there can be no dispute that the quotation refers back to Dr. Kytömaa's proposition—not Exhibit 2027. Second, Petitioner asserts that Dr. Kytömaa is quoting non-existent testimony from Mr. Smith. (Paper 44, 11.) Not true. Dr. Kytömaa cited Ex. 2021 at 65:5–16 in paragraph 37. Petitioner could not find it, because it was looking at Ex. 2011.

Petitioner's motion to exclude over 30 paragraphs of Dr. Kytömaa's testimony is particularly troubling, because Dr. Kytömaa is the only expert in this proceeding that has stated experience with coal pulverizers and rock crushers. Petitioner's motion, at bottom, is an attempt to hinder the Board from its fact-finding mission. The Motion should be denied.

IPR2024-01381
Patent No. 11,014,090

Dated: December 30, 2025

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IPR2024-01381
Patent No. 11,014,090

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

I hereby certify that the attached PATENT OWNER'S OPPOSITION TO PETITIONER'S MOTION TO EXCLUDE was served on the below date via e-mail (by consent) to the following counsel of record for Petitioner:

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