

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AXION BIOSYSTEMS, INC.,
Petitioner

v.

AGILENT TECHNOLOGIES, INC.,
Patent Owner.

Case IPR2024-01467

U.S. Patent No. 11,906,508

**PETITIONER'S SECOND OBJECTIONS TO PATENT OWNER'S
EVIDENCE PURSUANT TO 37 C.F.R. § 42.64(b)(1)**

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Axion Biosystems, Inc. submits the following objections to Patent Owner's supplemental evidence served on November 6, 2025. This notice is being timely filed within five business days of service of evidence to which the objections are directed.

Petitioner objects to the each of the exhibits served on November 6, 2025 (Exs. 2024-SE1, 2024-SE2, 2024-SE3-1, 2024-SE3-2, 2024-SE4-1, 2024-SE4-2, 2024-SE5, 2024-SE6, 2025-SE1, 2025-SE2, 2026-SE1, 2027-SE1, 2028-SE1, 2030-SE1, 2031-SE1, 2035-SE1, 2036-SE1, 2037-SE1, 2037-SE2, 2037-SE3, 2037-SE4, 2037-SE5, collectively the "Supplemental Evidence Exhibits") on the following grounds: (i) 37 C.F.R. § 42.23(b) as being new evidence other than deposition transcripts of the cross-examination of any reply witness; (ii) Federal Rule of Evidence (FRE) 403 as lacking relevance and because each document's probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, misleading the fact finder, undue delay, wasting time, or needlessly presenting cumulative evidence; and (iii) FRE 901 as not being properly authenticated.

Petitioner reserves the right to rely upon its previous objections (Paper 22) to Patent Owner's Exhibits 2024-2037, particularly since the Supplemental Evidence Exhibits do not cure the previous objections. The Supplemental Evidence Exhibits do not authenticate Exs. 2024-2028, 2030, 2031, and 2035-2037. The Supplemental

Evidence Exhibits are instead directed to the alleged public accessibility of Exs. 2024-2028, 2030, 2031, and 2035-2037, an issue distinct from authentication.

Respectfully submitted,

Dated: November 13, 2025

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the forgoing PETITIONER'S
SECOND OBJECTIONS TO PATENT OWNER'S EVIDENCE PURSUANT TO
37 C.F.R. § 42.64(b)(1) was served on November 13, 2025 via electronic mail on
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