

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 OBJECTIONS TO
PATENT OWNER'S DEMONSTRATIVE EXHIBITS

Pursuant to the Board's Order Setting Oral Argument (Paper 25), Petitioner Axion BioSystems, Inc. submits the following objections to Patent Owner Agilent Technologies, Inc.'s demonstrative exhibits filed on December 9, 2025. This notice is timely filed prior to the oral hearing. Paper 25 at 4.

Petitioner objects to the following demonstrative exhibits as referencing evidence improperly submitted with Patent Owner's Sur-Reply (Paper 21) in violation of 37 C.F.R. § 42.23(b), such evidence (specifically, Exhibits 2024-2037) being the subject of Petitioner's pending Motion to Strike (Paper 28):

- Slide 20 – referencing Exhibit 2024
- Slide 27 – referencing Exhibits 2026, 2027, 2028, 2029, 2030
- Slide 38 – referencing Exhibit 2036
- Slide 39 – referencing Exhibits 2036 (“60 mm”) and 2037 (including the image above the '508 Patent column of the table); Petitioner also objects to the new image, not of record, above the Ghosh column of the table
- Slide 44 – referencing Exhibit 2025

Pursuant to the Board's Order (Paper 25 at 4), the parties conferred in good faith but were unable to resolve these objections.

Respectfully submitted,

Dated: December 9, 2025

/Joshua R. Nightingale/

Joshua R. Nightingale (Reg No. 67,865)
Reg. No. 67,865
JONES DAY
500 Grant Street, Suite 4500
Pittsburgh, PA 15219
(412) 394-7950
jrnightingale@jonesday.com

David M. Maiorana (Reg. No. 41,449)
JONES DAY
North Point, 901 Lakeside Avenue
Cleveland, OH 44114
(216) 586-7499
dmaiorana@jonesday.com

Geoffrey K. Gavin (Reg. No. 47,591)
Laura Kanouse (Reg. No. 79,935)
JONES DAY
1221 Peachtree Street, N.E., Suite 400
Atlanta, GA 30361
(404) 521-3939
ggavin@jonesday.com
lkanouse@jonesday.com

*Attorneys for Petitioner Axion
BioSystems, Inc.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies the foregoing document, PETITIONER'S OBJECTIONS TO PATENT OWNER'S DEMONSTRATIVE EXHIBITS, was served via electronic mail on the date below, upon the following:

Brenton Babcock
brent.babcock@sterlingtonlaw.com

Yang Wang
yang.wang@sterlingtonlaw.com

Dan Liu
dliu@loeb.com

Mariana Nielson
mnielson@loeb.com

Dated: December 9, 2025

/Joshua R. Nightingale/

Joshua R. Nightingale, Reg. No. 67,865
JONES DAY
500 Grant Street, Suite 4500
Pittsburgh, PA 15219
(412) 394-7950