

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PREOMICS GMBH AND BIOGNOSYS AG.,

Petitioners,

v.

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.,

Patent Owner.

Case No. IPR2024-01473

Patent No. 11,435,360

PETITIONERS' OBJECTIONS TO EVIDENCE

I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.64(b)(1), PreOmics GmbH and Biognosys AG. (“Petitioners”) submit the following objections to the Exhibits enumerated below that were submitted by The Brigham and Women's Hospital, Inc. (“Patent Owner”) with the Patent Owner Response, and any reference to or reliance by the Patent Owner on the same.

Petitioners’ objections are made pursuant to the Code of Federal Regulations (“C.F.R.”) governing this proceeding, including without limitation 37 C.F.R. §§ 42.61-42.65 and § 42.6(a)(3). Per 37 C.F.R. § 42.62, Petitioners objections below apply the Federal Rules of Evidence (“F.R.E.”).

II. OBJECTIONS

A. Objections to EX2013, EX2014, and EX2015, and any Reference to/Reliance Thereon

Grounds for Objection: F.R.E. 105, 106, 401-403, 602, 703, 802, 901.

Petitioners object to each of EX2013, EX2014, and EX2015 for constituting an incomplete portion of a writing (excerpts of a larger writing). F.R.E. 106. These exhibits also lack sufficient authentication (F.R.E. 901), lack foundation (F.R.E. 602/703), and include hearsay statements. F.R.E. 802. Patent Owner also fails to demonstrate that each of EX2013, EX2014, and EX2015 is relevant and that unfair prejudice and confusion of the issues do not substantially outweigh any probative

value. F.R.E. 401-403. Even if admissible for some purpose, each of the exhibits must be restricted to its proper scope. F.R.E. 105.

B. Objections to EX2026 and EX2027, and any Reference to/Reliance Thereon

Grounds for Objection: F.R.E. 105, 401-403, 602, 703, 802, 901.

In EX2026 and EX2027, Patent Owner submitted unauthenticated webpage printouts. Petitioners thus object to EX2026 and EX2027 for Patent Owner's failure to authenticate the alleged documents (F.R.E. 901), for lacking foundation (F.R.E. 602/703), and as constituting hearsay. F.R.E. 802. Patent Owner fails to demonstrate that the unauthenticated documents are within the scope of this proceeding, are relevant, and that unfair prejudice and confusion of the issues do not substantially outweigh any probative value. F.R.E. 401-403. Even if admissible for some purpose, each of the exhibits EX2026 and EX2027 must be restricted to its proper scope. F.R.E. 105.

III. CONCLUSION

The above-mentioned exhibits were served together with Patent Owner's Response on July 24, 2025. Under 37 C.F.R. § 42.64 these objections are made within five business days of service of the evidence to which objection is directed.

Respectfully submitted,

REICHMAN, JORGENSEN, LEHMAN &
FELDBERG LLP

Dated: July 31, 2025

/Patrick Colsher/

Patrick Colsher (Reg. No. 74,955)

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served by email on Patent Owner's counsel of record:

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Respectfully submitted,

REICHMAN, JORGENSEN, LEHMAN &
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Dated: July 31, 2025

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