UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEGRATED DNA TECHNOLOGIES, INC.,
Petitioner,

v.

TECAN GENOMICS, INC.,
Patent Owner

Case No. IPR2024-01502
U.S. Patent No. 9,546,399

PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE SUBMITTED WITH PETITIONER'S PETITION FOR *INTER PARTES* REVIEW

Pursuant to 37 C.F.R. § 42.64(b)(1) and the Federal Rules of Evidence ("FRE"), Patent Owner Tecan Genomics, Inc. ("Patent Owner" or "Tecan") objects to the admissibility of the following evidence filed by Petitioner Integrated DNA Technologies, Inc. ("Petitioner") on September 30, 2024, with its Petition for *Inter Partes* Review.

Patent Owner's objections are timely under 37 C.F.R. § 42.64(b)(1) because they are being filed and served within ten business days of the Institution Decision. *See* IPR2024-01502 at Paper 7. Patent Owner's objections provide notice to Petitioner that Patent Owner may move to exclude these exhibits under 37 C.F.R. § 42.64(c).

1. Exhibits 1008, 1014, 1022, 1026, 1027, 1028, 1029, 1030, 1031, 1033, 1053, 1054, 1055, 1056, 1057

Patent Owner objects to Exhibits 1008, 1014, 1022, 1026, 1027, 1028, 1029, 1030, 1031, 1033, 1053, 1054, 1055, 1056, and 1057 under FRE 802 as inadmissible hearsay, and not within any hearsay exception.

2. Exhibits 1015, 1032, 1066, and 1071

Patent Owner objects to Exhibits 1015, 1032, 1066, and 1071 under FRE 402 as irrelevant because they postdate U.S. Patent No. 9,546,399 ("the '399 Patent") and therefore cannot qualify as prior art under 35 U.S.C. §§ 102 or 103.

3. Exhibits 1075, 1076, 1077, and 1078

Patent Owner objects to Exhibits 1075, 1076, 1077, and 1078 under FRE 901 for lack of authentication. Patent Owner also objects to Exhibits 1075, 1076, 1077, and 1078 as incomplete under FRE 106 and as unduly prejudicial and confusing under FRE 403 in light of the portions excluded. Additionally, Patent Owner objects to Exhibits 1075, 1076, 1077, and 1078 under FRE 802 as inadmissible hearsay, and not within any hearsay exception. Patent Owner objects to Exhibits 1075, 1076, 1077, and 1078 under FRE 1006 as improper summaries unsupported by the underlying materials, and under FRE 107 as improper illustrative aids.

4. Exhibit 1079

Patent Owner objects to Exhibit 1079 as improper expert testimony to the extent it does not sufficiently set forth the bases for the testimony provided. Patent Owner also objects to Exhibit 1079 as improper expert testimony under 37 C.F.R. § 42.65.

Dated: May 5, 2025

Respectfully submitted,

By: */Linnea P. Cipriano/*

Linnea P. Cipriano
(Reg. No. 67,729)
GOODWIN PROCTER LLP
620 Eighth Avenue
New York, NY 10018
Phone: (212) 813-8800
Cell: (443) 235-1739
Fax: (212) 937-2204

lcipriano@goodwinlaw.com

Counsel for Patent Owner Tecan Genomics, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on May 5, 2025, a copy of the foregoing **Patent Owner's Objections to Petitioner's Evidence Submitted with Petitioner's Petition for *Inter Partes* Review** by email, as follows:

Thomas S. Fletcher
(Reg. No. 72,383)
tfletcher@wc.com
IDT-Tecan-IPRs@wc.com
WILLIAMS & CONNOLLY LLP
680 Maine Avenue SW
Washington, DC 20024
Phone: (202) 434-5497
Fax: (202) 434-5029

Nicholas G. Vincent
(Reg. No. 79,788)
nvincent@wc.com
IDT-Tecan-IPRs@wc.com
WILLIAMS & CONNOLLY LLP
680 Maine Avenue SW
Washington, DC 20024
Phone: (202) 434-5470
Fax: (202) 434-5029

Jessamyn S. Berniker
(Reg. No. 72,328)
jberniker@wc.com
IDT-Tecan-IPRs@wc.com
WILLIAMS & CONNOLLY LLP
680 Maine Avenue SW
Washington, DC 20024
Phone: (202) 434-5474
Fax: (202) 434-5029

Dated: May 5, 2025

By: /*Linnea P. Cipriano/*

Linnea P. Cipriano
(Reg. No. 67,729)
GOODWIN PROCTER LLP
620 Eighth Avenue
New York, NY 10018
Tel: (212) 813-8800
Fax: (212) 937-2204
lcipriano@goodwinlaw.com