

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

American Axle & Manufacturing, Inc.
Petitioner,

v.

Neapco Components, LLC
Patent Owner.

Case IPR2025-00091
Patent 11,598,376

**Patent Owner's Objections To Evidence Submitted With
Petition**

I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner Neapco Components, LLC (“Neapco”) submits these Objections to Exhibits Nos. 1012, 1013, 1021, 1022, 1023, 1024, 1025, 1029, 1033, and 1034 (the “Challenged Evidence”) filed by Petitioner American Axle & Manufacturing, Inc. (“AAM”) on November 15, 2025, with AAM’s Petition for *Inter Partes* Review (“Petition”) of U.S. Patent No. 11,598,376 (“the ’376 Patent”). Neapco files these Objections to provide notice to AAM that Neapco may move to exclude the Challenged Evidence under § 42.64(c), unless cured by AAM.

Due to a clerical error in docketing deadlines, Neapco attempted to seek concurrence from AAM regarding filing these Objections one business day beyond the ten business days allotted in 37 C.F.R. § 42.64(b)(1), but, as of this filing, Neapco has not received a response from AAM. Regardless, Neapco asserts that these Objections should be permitted and AAM will not be prejudiced by this one-day extension as the Objections preserve the right for Neapco to move to exclude the Challenged Evidence, and the deadline for any motion to exclude is not until February 6, 2026, nearly eight months from now. *See* Paper 9 at 11–12. Further, AAM is still entitled to serve “supplemental evidence within ten business days of service” of Neapco’s Objections, so AAM is not prejudiced by any shorter deadline than what 37 C.F.R. § 42.64(b)(2) permits.

Neapco reserves the right to present further objections to this or additional evidence submitted by AAM, as allowed by the applicable rules or other authority, including without limitation, upon conclusion of cross-examination of AAM's declarants.

II. IDENTIFICATION OF CHALLENGED EVIDENCE AND GROUNDS FOR OBJECTIONS

Patent Owner objects to Exhibit Nos. 1012, 1013, 1021, 1022, 1023, 1024, 1025, 1029, 1033, and 1034, and any reference to or reliance on this Challenged Evidence, under the Federal Rules of Evidence (FRE) as described below.

A. Exhibit No. 1012 (“Wagner, E.R., et. al., Advances in Engineering Series No. 7 (Society of Automotive Engineers, Inc.) (1979)”) is objectionable on the following grounds:

FRE 901–903: Authentication for at least the following reasons. AAM has failed to provide any evidence to support a finding that Exhibit No. 1012 is what AAM claims it to be.

B. Exhibit No. 1013 (“2016 Jeep® Renegade Service Manual (“Renegade Manual”)”) is objectionable on the following grounds:

FRE 901–903: Authentication for at least the following reasons. AAM has failed to provide any evidence to support a finding that Exhibit No. 1013 is what AAM claims it to be. Additionally, AAM has failed to provide any evidence showing that Exhibit No. 1013 is from the time period AAM claims it is from.

FRE 401–403: General Admissibility of Relevant Evidence for at least the following reasons. Absent an adequate showing that Exhibit No. 1013 is from the

time period AAM claims it is from, Exhibit No. 1013 is irrelevant as to the teachings of the prior art before the earliest priority date of the '376 Patent.

C. Exhibit No. 1021 (“Declaration of Jamie Pace”) is objectionable on the following grounds:

FRE 401–403: General Admissibility of Relevant Evidence for at least the following reasons. This Exhibit does not specifically refer to any of the evidence at issue in this lawsuit, let alone Exhibit No. 1013, and instead generally refers to the declarant’s understanding of the industry. Additionally, the declarant has been working at AAM since 2022 (Ex. 1021, ¶ 2) and as such is not unbiased, making this Exhibit prejudicial.

D. Exhibit No. 1022 (“Declaration of Tim Kiefer”) is objectionable on the following grounds:

FRE 702–703: Expert Witness Testimony for at least the following reasons. Mr. Kiefer fails to provide testimony relating to the issues of the case. Specifically, Mr. Kiefer’s analysis of the CD of Exhibit No. 1013 is irrelevant as Mr. Kiefer fails to compare the CD of Exhibit No. 1013 with an original CD that was obtained prior to the earliest priority date of the '376 Patent.

FRE 401–403: General Admissibility of Relevant Evidence for at least the following reasons. This exhibit does not compare the CD of Exhibit No. 1013 with an original CD that was obtained prior to the earliest priority date of the '376 Patent.

E. Exhibit No. 1023 (“Declaration of Jodi Gregory”) is objectionable on the following grounds:

FRE 801–803: Hearsay for at least the following reasons. Ms. Gregory relies on many out-of-court statements offered to prove the truth of the matter asserted, e.g., the forum posts. Additionally, none of these out-of-court statements meet the exceptions for hearsay as set forth in the Federal Rules of Evidence.

FRE 901–903: Authentication for at least the following reasons. Ms. Gregory refers to and relies on several documents and exhibits without sufficient evidence to support a finding that the items are what Ms. Gregory claims them to be, e.g., the forum posts and the archived websites.

FRE 702–703: Expert Witness Testimony for at least the following reasons. Ms. Gregory relies on numerous forum posts in support of her opinion. But these forum posts contain numerous inadmissible hearsay statements and have not been authenticated. Thus, Ms. Gregory’s testimony is impermissible fact testimony submitted under the guise of expert testimony.

F. Exhibit No. 1024 (“Manual de Servicio para Jeep Renegade”) is objectionable on the following grounds.

FRE 801–803: Hearsay for at least the following reasons. Exhibit No. 1024 contains many out-of-court statements offered to prove the truth of the matter asserted. Additionally, none of these out-of-court statements meet the exceptions for hearsay as set forth in the Federal Rules of Evidence.

FRE 901–903: Authentication for at least the following reasons. AAM has failed to provide any evidence to support a finding that Exhibit No. 1024 is what AAM claims it to be. Additionally, AAM has failed to provide any evidence showing that Exhibit No. 1024 is from the time period AAM claims it is from.

FRE 401–403: General Admissibility of Relevant Evidence for at least the following reasons. Absent an adequate showing that Exhibit No. 1024 is from the time period AAM claims it is from, Exhibit No. 1024 is irrelevant as to the teachings of the prior art before the earliest priority date of the '376 Patent.

G. Exhibit No. 1025 (“Affidavit of Nathaniel E Frank-White”) is objectionable on the following grounds.

FRE 401–403: General Admissibility of Relevant Evidence for at least the following reasons. This exhibit does not relate to any issue in this case.

H. Exhibit No. 1029 (“<https://web.archive.org/web/20150405104200/http://www.fst.com/Products/Special-Sealing-Products/Boots> (“Freudenberg”)”) is objectionable on the following grounds.

FRE 901–903: Authentication for at least the following reasons. AAM has failed to provide any evidence to support a finding that Exhibit No. 1029 is what AAM claims it to be. Additionally, AAM has failed to provide any evidence showing that Exhibit No. 1029 is from the time period AAM claims it is from.

FRE 401–403: General Admissibility of Relevant Evidence for at least the following reasons. Absent an adequate showing that Exhibit No. 1029 is from the

time period AAM claims it is from, Exhibit No. 1029 is irrelevant as to the teachings of the prior art before the earliest priority date of the '376 Patent.

I. Exhibit No. 1033 (“<https://web.archive.org/web/20150617070918/https://www.autocarpro.in/news-international/gkn-tier-supplier-develop-integratedawd-8187> (“Autocar Pro”)) is objectionable on the following grounds.

FRE 901–903: Authentication for at least the following reasons. AAM has failed to provide any evidence to support a finding that Exhibit No. 1033 is what AAM claims it to be. Additionally, AAM has failed to provide any evidence showing that Exhibit No. 1033 is from the time period AAM claims it is from.

FRE 401–403: General Admissibility of Relevant Evidence for at least the following reasons. Absent an adequate showing that Exhibit No. 1033 is from the time period AAM claims it is from, Exhibit No. 1033 is irrelevant as to the teachings of the prior art before the earliest priority date of the '376 Patent.

J. Exhibit No. 1034 <https://web.archive.org/web/20150911145858/https://www.greencarcongress.com/2014/10/20141007-gkn.html> (“Green CarCongress”) is objectionable on the following grounds.

FRE 901–903: Authentication for at least the following reasons. AAM has failed to provide any evidence to support a finding that Exhibit No. 1034 is what AAM claims it to be. Additionally, AAM has failed to provide any evidence showing that Exhibit No. 1034 is from the time period AAM claims it is from.

FRE 401–403: General Admissibility of Relevant Evidence for at least the following reasons. Absent an adequate showing that Exhibit No. 1034 is from the time period AAM claims it is from, Exhibit No. 1034 is irrelevant as to the teachings of the prior art before the earliest priority date of the '376 Patent.

III. CONCLUSION

For at least the foregoing reasons, Petitioner objects to Exhibits Nos. 1012, 1013, 1021, 1022, 1023, 1024, 1025, 1029, 1033, and 1034.

Respectfully submitted,

Respectfully submitted,

/Dennis J. Abdelnour/
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Date: June 13, 2025

Attorney for Patent Owner, Neapco Components, LLC

Certificate of Service

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(a), I hereby certify that on the 13th day of June, 2025, I caused a complete copy of Patent Owner's Objections to Evidence Submitted with Petition to be served on Petitioner as follows:

By email to the Patent Owner's attorneys of record:

Robert F. Kappers: rkappers@steptoe.com

Jay Nuttal: jnuttal@steptoe.com

/David J. Thomas/

David J. Thomas, Reg. No. 75,471