

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SINCLAIR PHARMA LIMITED, SINCLAIR PHARMA US, INC., VIORA,
INC., EMA AESTHETICS, LTD., AND AESTHETIC MANAGEMENT
PARTNERS, LLC AND AESTHETIC MANAGEMENT PARTNERS, INC,
Petitioner,

v.

HYDRAFACIAL LLC,
Patent Owner.

Case No. IPR2025-00145
Patent No. 11,865,287

PETITIONERS' OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioners submit the following objections to evidence submitted with Patent Owner's Response in the instant proceeding. These objections have been timely filed and served within five business days of service of evidence to which the objections are directed.

I. EXHIBIT 2003

Petitioners object to Exhibit 2003, the Expert Declaration of Pallavi Seth, Ph.D. Petitioners object to the use of this exhibit as supplemental argument located outside of the principal brief to circumvent word count restrictions. Specifically, the blanket citation in the Reply to the entire declaration (¶¶ 1-39 on p. 75) comprises impermissible incorporation by reference of a declaration. See 37 C.F.R. § 42.6(a)(3).

II. EXHIBIT 2004

Petitioners object to Exhibit 2004, the Second Declaration of Karl R. Leinsing. Petitioners object to the use of this exhibit as supplemental argument located outside of the principal brief to circumvent word count restrictions. Specifically, the blanket citation in the Reply to nearly 450 paragraphs (¶¶ 1-397 on p.72, 404-442 on p. 79, 404-448 on p. 80) comprises impermissible incorporation by reference of a declaration. *See* 37 C.F.R. § 42.6(a)(3).

III. EXHIBITS NOT CITED IN THE RESPONSE

Petitioners object to Exhibits 2006, 2009, 2014, 2024, 2025, 2030, 2031, 2032, 2034, 2035, 2037, 2048, 2049, 2050, 2051, 2074, 2075, 2076, 2077, 2078,

2079, 2080, 2081, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2125, 2126, 2127, 2128, 2130, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2141, 2142, 2144, 2146, 2147, 2149, 2151, 2152, and 2153—which are not cited in the Response, and are therefore impermissibly incorporated by reference. *See* Fed. R. Evid. 401, 402; 37 C.F.R. § 42.6(a)(3).

Of the above referenced exhibits, the following exhibits are only cited in Exs. 2003 and 2004, which are impermissibly incorporated by reference, as discussed above in Sections I and II: Exhibits 2030, 2031, 2032, 2034, 2035, 2037, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2125, 2126, 2127, 2128, 2130, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2141, 2142, 2144, 2146, 2147, 2149, 2151, 2152, and 2153.

Of the above referenced exhibits, Exhibits 2006, 2009, 2014, 2024, 2025, 2048, 2049, 2050, and 2051 are not cited in the Response or Exs. 2003 and 2004, and are therefore irrelevant. *See* Fed. R. Evid. 401, 402.

Respectfully submitted,

Date: September 2, 2025

/Scott A. McKeown/

Scott A. McKeown, Reg. No. 42,866
WOLF, GREENFIELD & SACKS, P.C.

CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6 (E)(4)

I certify that on September 2, 2025, a copy of the foregoing document, including any exhibits filed therewith, is being served via electronic mail, as previously consented to by Patent Owner, upon the following:

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Date: September 2, 2025

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