

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

IMPERATIVE CARE, INC.,
Petitioner,

v.

INARI MEDICAL, INC.,
Patent Owner.

Case **IPR2025-00156**
Patent No. **11,697,012 B2**

**PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE
UNDER 37 C.F.R. § 42.64(b)(1)**

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner submits the following objections to Exhibit No. 1003 which was filed by Petitioner, Imperative Care, Inc., with its Petition for *Inter Partes* Review of U.S. Patent No. 11,697,012 B2. Patent Owner's objections apply equally to Petitioner's reliance on this exhibit in its Petition or any subsequently-filed documents regarding same. These objections are timely, having been served within ten (10) business days of the Board's decision to institute a trial in this proceeding.

Exhibit 1003

Patent Owner objects to Exhibit 1003 (Declaration of Troy L. Thornton) under FRE 702 because the testimony is not based upon sufficient facts or data and is not the result of application of reliable principles and methods. Patent Owner further objects under FRE 703 that the facts or data are not of a type reasonably relied upon by experts. Patent Owner specifically objects to Exhibit 1003, paragraphs 57–60, 70, 72–76, 78–95, 99–108, 123–125, 128–135, 137, 139, 141, 143, 145–158, 160–165, 167, 169, and 171, as relying upon incorrect interpretation of the challenged claims (including for the claim terms or phrases “first filament,” “first filament formed into a loop around the collapsible tubular sidewall” and “diameter of the valve lumen decreases in response to reducing a diameter of the loop”), an incomplete and incorrect understanding and interpretation of Exhibit 1005 with respect to the

configuration and operation of embodiments disclosed in Figures 16–19, 30–34 and accompanying text, and an incomplete/incorrect perspective of a person of ordinary skill in the art. As such, Exhibit 1003 is not based upon sufficient facts or data, is not the result of application of reliable principles and methods, and the facts or data are not of a type reasonably relied upon by experts.

In view of the above deficiencies, Patent Owner further objects to Exhibit 1003 as creating unfair prejudice, confusing the issues, or as a waste of time pursuant to FRE 403 and as not being relevant and therefore being inadmissible under FRE 401 and 402.

Patent Owner further objects to Exhibit 1003 to the extent that any paragraph relies upon an exhibit that is objected to herein for the reasons set forth in those objections. Any paragraph in Exhibit 1003 that relies upon any exhibit not relied upon by the PTAB to institute this proceeding is further objected to as not being relevant and therefore being inadmissible under FRE 401 and 402.

Respectfully submitted,

Date: May 6, 2025

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CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of **PATENT OWNER'S
OBJECTIONS TO PETITIONER'S EVIDENCE UNDER 37 C.F.R. §
42.64(b)(1)** was served electronically on May 6, 2025, in its entirety on the following
counsel of record for Petitioner:

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