UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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KUBOTA NORTH AMERICA CORPORATION,

Petitioner

v.

VERMEER MANUFACTURING COMPANY,

Patent Owner

_____

IPR2025-00169
U.S. Patent No. 9,321,386

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PETITIONER'S EVIDENTIARY OBJECTIONS TO EXHIBIT 2047

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Kubota North America Corporation ("Petitioner") hereby timely objects to Exhibit 2047 filed by Patent Owner with its Reply in Support of Motion to Exclude ("Reply," Paper 51) on March 4, 2026.

Petitioner objects to Exhibit 2047 under FRE 801-807 as hearsay offered for the truth of the matter asserted and not subject to any hearsay exception. Exhibit 2047 is hearsay and offered for the truth of the matter asserted; namely, it is offered to prove that "Exhibit 2046 [is] a copy of Mr. Maeshiro's LinkedIn page." Reply, 5. Patent Owner's assertion that "Vermeer is not relying on the truth of the LinkedIn page [Exhibit 2046]," is **contradicted** by its request that the Board disqualify Mr. Maeshiro "in light of the evidence submitted by Vermeer (Ex. 2046)." Reply, 4, 5. Patent Owner is clearly relying on the truth of the matter asserted—if not, Exhibit 2046 has no evidentiary value whatsoever. Because neither Patent Owner nor its declarant in Exhibit 2047 claim to have personal knowledge of the matter asserted, any reliance on these exhibits must be prohibited. *See Wady v. Provident Life and Accident Ins. Co. of Am.,* 216 F. Supp. 2d 1060 (C.D. Cal. 2002) (sustaining objection because the proponent "has no personal knowledge of who maintains the website, who authored the documents, or the accuracy of their contents."); *see also, United States v. Jackson*, 208 F.3d 633, 638 (7th Cir. 2000).

Lastly, Petitioner objects to Exhibit 2047 under FRE 403 because its probative

value is substantially outweighed by the danger of unfair prejudice, confusion of issues, and misleading the Board.

Patent Owner filed Exhibit 2047 with its Reply on March 4, 2026. Therefore, Petitioner's Objections to Exhibit 2047 are timely under 37 C.F.R. § 42.64(b)(1).

Dated: March 9, 2026

Respectfully submitted,

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/ David M. O'Dell /
David M. O'Dell
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Registration No. 42,044

CERTIFICATE OF SERVICE

The undersigned certifies that, in accordance with 37 C.F.R. § 42.6(e), service was made on Patent Owner as detailed below.

Date of service March 9, 2026

Manner of service Electronic Mail: rbrophy@atllp.com
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Documents served ***PETITIONER'S EVIDENTIARY OBJECTIONS TO EXHIBIT 2047***

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