

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICRON TECHNOLOGY, INC.,
Petitioner

v.

YANGTZE MEMORY TECHNOLOGIES COMPANY, LTD.,
Patent Owner

Case No.: IPR2025-00191
U.S. Patent No. 11,581,322
Issue Date: February 14, 2023

Title: THREE-DIMENSIONAL MEMORY DEVICES HAVING THROUGH
ARRAY CONTACTS AND METHODS FOR FORMING THE SAME

**PETITIONER'S OBJECTIONS TO
PATENT OWNER'S POR EVIDENCE**

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner submits the following objections to evidence associated with Patent Owner's Response (Paper 34) in this proceeding.

Patent Owner, in its Objections to Petitioner's Evidence, submitted objections to Petitioner's evidence for allegedly being inadmissible hearsay, lacking authentication, lacking foundation and personal knowledge, or constituting improper lay testimony. *See generally* Papers 25 and 27. Patent Owner's objections are overbroad and do not provide Petitioner enough information to inform it of the alleged deficiencies. Further, Patent Owner improperly objects with no belief and without providing any rationale that any document is not what it purports to be, including its publication date. Petitioner similarly applies that standard here. Should the Board sustain Patent Owner's overbroad and improper Objections, Petitioner provides similar objections below to Patent Owner's evidence.

Exhibit 2021:

Petitioner objects to this exhibit as inadmissible hearsay under FRE 801 and 802 not falling under any exception, and as improper expert testimony under FRE 702 and 703, to the extent it impermissibly acts as a conduit for hearsay, including the hearsay objected to herein, and does not rely on the kinds of facts or data that experts in the relevant fields would reasonably rely on in forming an opinion on the subject without providing the underlying facts, data, and other required disclosures.

Petitioner further objects to this exhibit for lack of foundation and lack of personal knowledge under FRE 602, and as improper lay testimony under FRE 701, to the extent it offers testimony in areas outside of Dr. Campbell's area of expertise or fails to properly provide the underlying facts, data, and other required disclosures.

Exhibits 2022:

Petitioner objects to this exhibit as inadmissible hearsay under FRE 801 and 802 not falling under any exception. Dr. Lee was available for deposition in the current proceeding. To the extent Patent Owner attempts to show a purported prior inconsistent statement between Dr. Lee's testimony given in this proceeding and Dr. Lee's testimony in IPR2024-00034, no such inconsistency exists, making Exhibit 2022 hearsay. *See* FRE 801(d)(1).

Petitioner further objects to this exhibit as not relevant under FRE 401 and/or 402 because it is testimony from Dr. Lee in another proceeding regarding a different patent that is not inconsistent with testimony given in this proceeding and is not testimony regarding impeachment or credibility of Dr. Lee. Petitioner also objects to this exhibit under FRE 403 because the probative value of considering this testimony from a different proceeding about a different patent is substantially outweighed by a danger of unfair prejudice, confusing the issues, misleading the factfinder, wasting time, or needlessly presenting cumulative evidence.

Exhibits 2023, 2025-2026, 2030-2033:

Petitioner objects to these exhibits as not properly authenticated under FRE 901 because Patent Owner has not presented sufficient evidence to show that they are authentic or self-authenticating under FRE 902.

And to the extent Patent Owner relies on these documents for the truth of the matter asserted, Petitioner objects to these exhibits as inadmissible hearsay under FRE 801 and 802 that do not fall under any exceptions, including those of FRE 803, 804, 805, or 807.

Exhibits 2024, 2027-2029, and 2034-2036:

Petitioner objects to these exhibits as not properly authenticated under FRE 901 because Patent Owner has not presented sufficient evidence to show that they are authentic or self-authenticating under FRE 902.

And to the extent Patent Owner relies on these documents for the truth of the matter asserted, Petitioner objects to these exhibits as inadmissible hearsay under FRE 801 and 802 that do not fall under any exceptions, including those of FRE 803, 804, 805, or 807.

Petitioner additionally objects to these exhibits as not being relevant under FRE 401 and/or 402 because these documents are not prior art to the challenged patent. Furthermore, Petitioner objects to these exhibits under FRE 403 because any potentially probative value (of which Micron believes there is none) of considering

non-prior art documents is substantially outweighed by a danger of unfair prejudice, confusing the issues, misleading the factfinder, or wasting time. Petitioner also objects under 35 U.S.C. § 311(b) to Patent Owner's reliance on these documents because they are not prior art to the challenged patent.

Dated: November 24, 2025

Respectfully submitted,

/Jeremy Jason Lang/

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CERTIFICATE OF SERVICE

The undersigned hereby confirms that the foregoing paper was caused to be served on November 24, 2025 via electronic mail, upon the following attorneys of record for the Patent Owner

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