UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

IMPERATIVE CARE, INC.,
Petitioner,

v.

INARI MEDICAL, INC.,
Patent Owner.

Case **IPR2025-00289**
Patent No. **11,554,005 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 Nos. 1038, 1039, 1040, and 1042 associated with Petitioner Imperative Care, Inc.'s Reply re Petition for *Inter Partes* Review of U.S. Patent No. 11,554,005 B2. Patent Owner's objections apply equally to Petitioner's reliance on that exhibit in its Petition or any subsequently-filed documents regarding same. These objections are timely, having been served within five (5) business days of filing of the Reply.

Exhibit 1040

Patent Owner objects to Exhibit 1040 (Supplemental Expert Declaration of Troy 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 1040, paragraphs 16–52, as relying upon incorrect interpretation of the challenged claims (including for the claim terms or phrases "a filament," "a first end extending from the first portion in one direction and a second end extending from the first portion in another direction," "wherein the filament circumferentially constricts," and "a filament formed in a 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 1040 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 1040 to the extent that any paragraph relies upon an exhibit that is objected to herein for the reasons set forth in those objections, including Exhibit 1008 as set forth in Patent Owner's previous objections in this matter. Any paragraph in Exhibit 1040 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. Patent Owner likewise objects to any testimony or argument purporting to rely on Petitioner's Exhibit No. 1003.

Exhibits 1038, 1039, 1042

Patent Owner incorporates by reference all real-time objections made by Patent Owner's counsel during the deposition of Patent Owner's expert, Paul Zalesky, as reflected in the deposition transcripts (Exhibit Nos. 1038, 1039, and 1042).

Furthermore, Patent Owner objects to paragraphs in the Petition that rely on exhibits objected to in this Patent Owner's Objections to Petitioner's Evidence.

Respectfully submitted,

Date: December 10, 2025 By: / *Joseph P. Hamilton* /

Joseph P. Hamilton, Reg. No. 51,440
Perkins Coie LLP
1888 Century Park East, Suite 1700
Los Angeles, CA 90067
Phone: 310-788-3271

Counsel for Patent Owner

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 December 10, 2025, in its entirety on the following counsel of record for Petitioner:

Joshua J. Stowell
2JYS@knobbe.com
Joseph R. Re
2jrr@knobbe.com
Brian C. Barnes
2BCB@knobbe.com
BoxImperative005@knobbe.com

Date: December 10, 2025 By: */ Joseph P. Hamilton /*

Joseph P. Hamilton, Reg. No. 51,440
Perkins Coie LLP
1888 Century Park East, Suite 1700
Los Angeles, CA 90067
Phone: 310-788-3271

Counsel for Patent Owner