

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZHUHAI COSMX BATTERY CO., LTD.,
Petitioner

v.

NINGDE AMPEREX TECHNOLOGY LTD.,
Patent Owner

IPR2025-00524
Patent 12,015,118

PATENT OWNER'S OBJECTIONS TO EVIDENCE
SUBMITTED WITH PETITIONER'S REPLY

Pursuant to 37 C.F.R. § 42.64(b), Patent Owner Ningde Amperex Technology Ltd. (“ATL” or “Patent Owner”) respectfully asserts the following objections to the evidence proffered with Petitioner’s Reply (“Petitioner’s Reply”) to Patent Owner’s Response to Petition for *Inter Partes* Review filed by Petitioner Zhuhai CosMX Battery Co., Ltd. (“Petitioner” or “CosMX”) regarding the claims of U.S. Patent No. 12,015,118 (“the ’118 patent”). The Federal Rules of Evidence (“FRE”) apply to these proceedings according to the provisions of 37 C.F.R. § 42.62(a), and these rules, along with relevant case law and PTAB Rules, form the basis of objections contained herein. Patent Owner’s objections apply equally to Petitioner’s reliance on or citation to any objected evidence in its papers. These objections are being served and filed within five business days of service of the evidence on Thursday, April 30, 2026.

Evidence	Objection(s)
Ex. 1031	Ex. 1041 is “Particle Size Distribution,” <i>Anton Paar</i> Wiki, accessed at https://wiki.anton-paar.com/en/particle-size-distribution/ (last accessed March 3, 2026) Patent Owner objects to this exhibit as irrelevant under FRE 402, and prejudicial, misleading, confusing, and/or a waste of time under FRE 403. Patent Owner also objects to this exhibit as lacking authenticity under FRE 901 and for being inadmissible hearsay under FRE 802.

Evidence	Objection(s)
Ex. 1032	Ex. 1042 is “Particle Size Analysis – Laser diffraction methods” Abstract, ISO 13320:2009, accessed at https://www.iso.org/standard/44929.html (last accessed at March 3, 2026) Patent Owner objects to this exhibit as irrelevant under FRE 402, and prejudicial, misleading, confusing, and/or a waste of time under FRE 403. Patent Owner also objects to this exhibit as lacking authenticity under FRE 901 and for being inadmissible hearsay under FRE 802.
Ex. 1033	Ex. 1043 is “Top 10 Errors in Particle Analysis and How to Avoid Them,” Microtrac MRB White Paper Patent Owner objects to this exhibit as irrelevant under FRE 402, and prejudicial, misleading, confusing, and/or a waste of time under FRE 403. Patent Owner also objects to this exhibit as lacking authenticity under FRE 901 and for being inadmissible hearsay under FRE 802.
Ex. 1034	Ex. 1034 is “Explanation of Data Reported by Microtrac Instruments,” Microtrac MRB Patent Owner objects to this exhibit as irrelevant under FRE 402, and prejudicial, misleading, confusing, and/or a waste of time under FRE 403. Patent Owner also objects to this exhibit as lacking authenticity under FRE 901 and for being inadmissible hearsay under FRE 802.

Evidence	Objection(s)
Ex. 1037	Ex. 1037 is Supplemental Declaration of Dr. Samuel P. Gido, Ph.D. Patent Owner objects to ¶¶ 16-30, 32-50, 52-59, 61-76, 79-100, 103-107 (including illustrations, diagrams, or annotations included or referenced in any of the above paragraphs not part of the cited prior art) of this exhibit as not based on sufficient facts or data, <i>e.g.</i>, under FRE 702(b), not based on reliable principles or methods, <i>e.g.</i> under FRE 702(c), and as not reflecting a reliable application of the principles and methods to the facts, <i>e.g.</i> under FRE 702(d), as irrelevant under FRE 402, and prejudicial, misleading, confusing, and/or a waste of time under FRE 403. Also as this exhibit cites or references the exhibits that are otherwise objected to, those objections are incorporated herein.
Ex. 1038	Ex. 1038 is Particle Size Analyzer Function and Features, https://www.microtrac.com/products/particle-size-shape-analysis/laser-diffraction/bluwave/, last accessed on April 29, 2026 Patent Owner objects to this exhibit as irrelevant under FRE 402, and prejudicial, misleading, confusing, and/or a waste of time under FRE 403. Patent Owner also objects to this exhibit as lacking authenticity under FRE 901 and for being inadmissible hearsay under FRE 802.
Ex. 1039	Ex. 1039 is Kim, Y. "Lithium Nickel Cobalt Manganese Oxide Synthesized Using Alkali Chloride Flux: Morphology and Performance As a Cathode material for Lithium Ion

Evidence	Objection(s)
	Batteries,” <i>ACS Appl. Mater. Interfaces</i>, 4 (2012), 2329-2333 Patent Owner objects to this exhibit as irrelevant under FRE 402, and prejudicial, misleading, confusing, and/or a waste of time under FRE 403. Patent Owner also objects to this exhibit as lacking authenticity under FRE 901 and for being inadmissible hearsay under FRE 802.
Ex. 1040	Ex. 1040 is National Center for Biotechnology Information (2026). PubChem Compound Summary for CID 172866199, Carbon Black. Retrieved April 29, 2026, from https://pubchem.ncbi.nlm.nih.gov/compound/172866199. Patent Owner objects to this exhibit as irrelevant under FRE 402, and prejudicial, misleading, confusing, and/or a waste of time under FRE 403. Patent Owner also objects to this exhibit as lacking authenticity under FRE 901 and for being inadmissible hearsay under FRE 802.
Ex. 1041	Ex. 1041 is “Solef PVDF for Li-Ion Batteries,” Syensqo Patent Owner objects to this exhibit as irrelevant under FRE 402, and prejudicial, misleading, confusing, and/or a waste of time under FRE 403. Patent Owner also objects to this exhibit as lacking authenticity under FRE 901 and for being inadmissible hearsay under FRE 802.

Evidence	Objection(s)
Ex. 1042	Ex. 1042 is “Kynar HSV 302 Powder,” Technical Data Sheet, Kynar Patent Owner objects to this exhibit as irrelevant under FRE 402, and prejudicial, misleading, confusing, and/or a waste of time under FRE 403. Patent Owner also objects to this exhibit as lacking authenticity under FRE 901 and for being inadmissible hearsay under FRE 802.
Ex. 1043	Ex. 1043 is Pushnov, A.S. Calculation of average bed porosity. <i>Chem Petrol Eng</i> 42, 14-17 (2006). Patent Owner objects to this exhibit as irrelevant under FRE 402, and prejudicial, misleading, confusing, and/or a waste of time under FRE 403. Patent Owner also objects to this exhibit as lacking authenticity under FRE 901 and for being inadmissible hearsay under FRE 802.
Ex. 1044	Ex. 1044 is Akimoto et al. “Synthesis and Structure Refinement of LiCoO₂ Single Crystals” J. of <i>Solid State Chemistry</i>, vol. 141, 298-302, 1998. Patent Owner objects to this exhibit as irrelevant under FRE 402, and prejudicial, misleading, confusing, and/or a waste of time under FRE 403. Patent Owner also objects to this exhibit as lacking authenticity under FRE 901 and for being inadmissible hearsay under FRE 802.

IPR2025-00524
U.S. Patent No. 12,015,118
Patent Owner's Objections to Evidence

Evidence	Objection(s)
Ex. 1045	Ex. 1045 is Oljaca et al., “Novel Li(Ni_{1/3}Co_{1/3}Mn_{1/3}) O₂ cathode morphologies for high power Li-ion batteries,” <i>Journal of Power Sources</i>, 248 (2014) 729-738 Patent Owner objects to this exhibit as irrelevant under FRE 402, and prejudicial, misleading, confusing, and/or a waste of time under FRE 403. Patent Owner also objects to this exhibit as lacking authenticity under FRE 901 and for being inadmissible hearsay under FRE 802.

Dated: May 7, 2026

Respectfully submitted,

By: /Christopher TL Douglas/
Christopher TL Douglas, Reg. No. 56,950

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §42.64(b)(1), the undersigned hereby certifies that a true and correct copy of the foregoing **PATENT OWNER'S OBJECTIONS TO EVIDENCE SUBMITTED WITH PETITIONER'S REPLY** was served in its entirety on May 7, 2026 via filing through the Patent Trial and Appeal Case Tracking System (P-TACTS) and electronic mail on the following counsel of record for Petitioner:

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Date: May 7, 2026

By: / Christopher TL Douglas /
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