

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CLEARCORRECT OPERATING LLC,  
Petitioner,

v.

ALIGN TECHNOLOGY, INC.,  
Patent Owner.

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Case No. IPR2025-00816  
Patent No. 11,369,456

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**PATENT OWNER'S LISTING OF  
NEW ARGUMENTS AND EVIDENCE**

Patent Owner Align Technology, Inc., emailed the Board on May 26, 2026, requesting authorization to file a motion to strike portions of Petitioner's Reply and corresponding cited exhibits for raising improper new arguments. EX3001. The Board denied Align's request for a motion to strike but authorized submission of a paper calling attention to the location of the improper reply arguments and evidence, while prohibiting any substantive arguments. Paper 27. Accordingly, as authorized by the Board's order of June 4, 2026, Patent Owner provides the following listing calling the Board's attention to illustrative portions of Petitioner's Reply, EX1040, and EX1043 that raise new arguments pursuant to Patent Owner's email request to the Board (EX3001):

1. Paper 26 (Petitioner's Reply), page 1 (line 19) to page 2 (line 14).
2. Paper 26 (Petitioner's Reply), page 3 (line 19) to page 4 (line 3).
3. EX1040, ¶¶11-12.
4. Paper 26 (Petitioner's Reply), page 7 (line 19) to page 8 (line 19) (citing EX1043, 30:1-16).
5. EX1043 (cited in Paper 26, page 7 (line 19) to page 8 (line 19)).

6. Paper 26 (Petitioner's Reply), section III.B (pgs. 26-28).
7. Paper 26 (Petitioner's Reply), section III.C (pgs. 28-29).
8. Paper 26 (Petitioner's Reply) section III.D (pg. 29).
9. EX1040, section II.A (§3).
10. EX1040, section II.B (§§4-8).

Respectfully submitted,

Date: June 9, 2026

/ Michael T. Rosato /  
Michael T. Rosato, Lead Counsel  
Reg. No. 52,182

## **CERTIFICATE OF SERVICE**

I certify that the foregoing Patent Owner's Listing of New Arguments and Evidence was served on June 9, 2026, on Petitioner at the following electronic service addresses:

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Date: June 09, 2026

/ Michael T. Rosato /  
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