UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CLEARCORRECT OPERATING, LLC,
Petitioner,

v.

ALIGN TECHNOLOGY, INC.,
Patent Owner.

Case No. IPR2025-00820
U.S. Patent No. 11,648,090

PETITIONER'S OBJECTIONS TO PATENT OWNER'S EXHIBITS

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner submits the following objections to EX2036 submitted by Patent Owner. Petitioner's objections apply equally to Patent Owner's reliance on EX2036 in any previously filed or subsequently filed documents. These objections are timely, having been served within five business days of service. Petitioner objects to the following exhibits:

Exhibit	Description
2036	Osswald Reply Deposition Transcript

Exhibit 2036

Petitioner objects to sub-exhibits A, B, C, D, and E within EX2036 and portions of the deposition transcript (EX2036) that discuss these new exhibits under FRE 401-403 as irrelevant or, in the alternative, because any probative value is substantially outweighed by unfair prejudice, confusion of the issues, or waste of time.

Petitioner further objects to sub-exhibits A, B, C, D, and E within EX2036 and portions of the deposition transcript (EX2036) that discuss these new exhibits as inadmissible hearsay under FRE 802 and as not supporting Patent Owner's characterization of the truth of the matter asserted.

Petitioner further objects to sub-exhibits A, B, C, D, and E within EX2036 and portions of the deposition transcript (EX2036) that discuss these new exhibits as not properly authenticated under FRE 901. Patent Owner has produced

insufficient evidence to support a finding that these exhibits are what Patent Owner claims them to be.

Petitioner further objects to sub-exhibits A, B, C, D, and E within EX2036 and portions of the deposition transcript (EX2036) that discuss these new exhibits under 37 CFR § 42.23(b) as improper new evidence. *See Netflix, Inc. v. DivX, LLC*, IPR2020-00511, Paper 46, at 52-56 (P.T.A.B. Aug. 13, 2021) (addressing violations of 37 CFR § 42.23(b) in context of a motion to exclude). Patent Owner never requested authorization with the Board to file new evidence and attempts to use the testimony in EX2036 to circumvent the prohibition on new evidence in 37 CFR § 42.23(b).

Respectfully submitted,

Dated: July 22, 2026

By: / Charles T. Collins-Chase /
Charles T. Collins-Chase, Lead Counsel
Reg. No. 78,019

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing **PETITIONER'S OBJECTIONS TO PATENT OWNER'S EXHIBITS** was served on July 22, 2026, via email directed to counsel of record for Patent Owner at the following:

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