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. IPR2025-00821
Patent No. 11,648,091

PATENT OWNER'S OBJECTIONS TO EVIDENCE

I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.64(b)(1), Align Technology, Inc. ("Patent Owner") submits the following objections to ClearCorrect Operating, LLC ("Petitioner") Exhibits 1007 and 1038-1117.

Petitioner's objections are made pursuant to the Code of Federal Regulations ("C.F.R.") governing this proceeding, including without limitation 37 C.F.R. §§ 42.61-42.65 and § 42.6(a)(3). As required by 37 C.F.R. § 42.62, Petitioner's objections below apply the Federal Rules of Evidence ("F.R.E.").

II. OBJECTIONS

1. Declaration of Dr. Tim Osswald (Exhibit 1007)

Grounds for Objection: F.R.E. 401 (Test for Relevant Evidence); F.R.E. 402 (General Admissibility of Relevant Evidence); F.R.E. 403 (Excluding Relevant Evidence for Prejudice, Confusion, Waste of Time, or Other Reasons); F.R.E. 701, 702, 703 (Expert Foundation and Opinions); F.R.E. 802 (Hearsay Inadmissible).

Exhibit 1007 is a declaration of Dr. Tim Osswald and is objected to in its entirety. Dr. Osswald fails to provide a reasoned basis or other foundation for his opinions. Moreover, Dr. Osswald's opinions are not the product of reliable principles and methods. To the extent exhibit 1007 is deemed relevant, its admission would be unduly prejudicial, misleading, and a waste of time. F.R.E. 401-403. Exhibit 1007 is further objected to under objected to under F.R.E. 802 as

resting on statements constituting hearsay without satisfying any of the hearsay exceptions.

2. Exhibits 1038-1117

Grounds for Objection: F.R.E. 401 (Test for Relevant Evidence); F.R.E. 402 (General Admissibility of Relevant Evidence); F.R.E. 403 (Excluding Relevant Evidence for Prejudice, Confusion, Waste of Time, or Other Reasons).

Petitioner objects to exhibits 1038-1117 under F.R.E. 401-402, as they are not relevant to the current proceedings. To the extent any of exhibits 1038-1117 is deemed relevant, its probative value is minimal and its admission would be unduly prejudicial, misleading, and a waste of time. F.R.E. 401-403.

III. CONCLUSION

The aforementioned exhibits were served prior to institution. These objections are made within 10 business days of institution pursuant to 37 C.F.R. § 42.64.

Respectfully submitted,

Dated: November 21, 2025

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

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Patent Owner's Objections to Evidence was served on November 21, 2025, at the following electronic service addresses:

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Respectfully submitted,

Dated: November 21, 2025

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