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

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**PETITIONER'S OBJECTIONS TO PATENT OWNER'S EXHIBITS**

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner submits the following objections to certain exhibits submitted by Patent Owner. Petitioner's objections apply equally to Patent Owner's reliance on these exhibits in any previously-filed or subsequently-filed documents. These objections are timely, having been served within ten business days of the Board's decision to institute a trial in this proceeding. Petitioner objects to the following exhibits:

| Exhibit | Description |
|---|---|
| 2001 | Claim Construction Order, *Align Technology Inc. v. ClearCorrect Operating LLC*, et al., No. 24-cv-00187-ADA-DTG (W.D. Tex. June 5, 2025) |
| 2002 | Scheduling Order, *Align Technology Inc. v. ClearCorrect Operating LLC*, et al., No. 24-cv-00187-ADA-DTG (W.D. Tex. Aug. 5, 2024) |
| 2003 | Fourth Scheduling Order, *Align Technology Inc. v. ClearCorrect Operating LLC*, et al., No. 24-cv-00187-ADA-DTG (W.D. Tex. June 12, 2025) |
| 2004 | DocketNavigator Median Time-to-Trial Statistics for Judge Alan D. Albright and for W.D. Tex. Overall, July 1, 2020 – July 1, 2025 |
| 2005 | Judge Albright Patent FAQ, https://www.txwd.uscourts.gov/for-attorneys/judge-albright-courtroom-faq/ (accessed July 3, 2025) |
| 2006 | Joint Request to Amend the Claim Schedule, *Align Technology Inc. v. ClearCorrect Operating LLC*, et al., No. 24-cv-00187-ADA-DTG (W.D. Tex. June 6, 2025) (ECF No. 187) |
| 2007 | Preliminary Claim Constructions, *Align Technology Inc. v. ClearCorrect Operating LLC*, et al., No. 24-cv-00187-ADA-DTG (W.D. Tex. Jan. 21, 2025) |
| 2008 | Defendants' Answer, Affirmative Defenses, and Counterclaims (Public Version), *Align Technology, Inc. v. ClearCorrect Operating LLC*, Case No. 6:24-CV-00187 (W.D. Tex. July 16, 2024) (ECF No. 56) |
| 2009 | International Application Publication No. WO 2018/222864 to Stewart et al. |
| 2010 | U.S. Patent No. 10,946,630 to Stewart et al. |
| 2011 | U.S. Patent No. 7,641,828 to DeSimone et al. |

| Exhibit | Description |
|---|---|
| 2012 | U.S. Patent No. 2006/0078841 to DeSimone et al. |
| 2013 | ClearCorrect Prior Art Narrowing Disclosure, *Align Technology, Inc. v. ClearCorrect Operating, LLC*, Civil Action No. 6:24-cv-00187-ADA-DTG |

**Exhibits 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012 and 2013**

Petitioner objects to Exhibits 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, and 2013 under FRE 401-403 as irrelevant or, in the alternative, because their probative value is substantially outweighed by unfair prejudice, confusion of the issues, or waste of time. Petitioner further objects to these 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 these 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 Exhibit 2013 as not cited in Patent Owner's pleadings.

Respectfully submitted,

Dated: November 21, 2025

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 November 21, 2025, via email directed to counsel of record for Patent Owner at the following:

Michael T. Rosato
Patrick M. Medley
Wilson Sonsini Goodrich & Rosati
701 Fifth Avenue, Suite 5100
Seattle, WA 98104-7036
Email: mrosato@wsgr.com
Email: pmedley@wsgr.com

Matthew A. Argenti
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304
Email: margenti@wsgr.com

Dated: November 21, 2025

By: / William Esper /
William Esper
Senior Litigation Paralegal
Finnegan, Henderson, Farabow,
Garrett & Dunner, LLP