

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOPSOE INC.,
Petitioner

v.

CASALE SA,
Patent Owner

Case IPR2025-01454
U.S. Patent No. 11,286,168

**PATENT OWNER'S OBJECTIONS TO PETITIONER'S SUPPLEMENTAL
EVIDENCE PURSUANT TO 37 CFR § 42.64(b)(1)**

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner Casale SA submits its objections to Petitioner's supplemental evidence served August 18, 2026.

I. Exhibit 1069 (Declaration of Sylvia Hall-Ellis, Ph.D.)

Patent Owner reserves the right to move to exclude 1069 or portions of the declaration/attached exhibits/testimony based on FRE 401/402 (relevance), FRE 403 (probative value outweighed by prejudice, confusing, waste of time), FRE 602 (lack of personal knowledge), and/or FRE 702/703 (insufficient support for expert testimony).

Patent Owner specifically objects to Paragraphs 11, 19, and 43-53 based on FRE 401/402 (relevance), FRE 403 (probative value outweighed by prejudice, confusing, waste of time), FRE 602 (lack of personal knowledge), and/or FRE 702/703 (insufficient support for expert testimony).

Further, Patent Owner objects to Exhibit 1069 under FRE 802 (hearsay), to the extent that Patent Owner does not have the opportunity to cross examine Dr. Hall-Ellis.

Patent Owner further objects to Exhibit 1069 as improper supplemental evidence pursuant to 37 CFR § 42.64 (b)(2). Evidence regarding the authentication, foundation, and prior art status of an alleged prior art reference (Exhibit 1065) should have been submitted with (at the same time as) the alleged prior art reference.

Patent Owner further objects to Exhibit 1069 to the extent Petitioner attempts

to use any part of the same to supplement, support, or otherwise add to the Petition as filed, the instituted grounds, Petitioner's reply, Petitioner's oral argument regarding the instituted grounds, Dr. Ritter's declaration previously submitted with the Petition (EX1005), or Dr. Ritter's declaration previously submitted with Topsoe's opposition to motion to amend.

Patent Owner repeats and incorporates herein its previously stated objections to Exhibit 1065 (included in Exhibit 1069 as "Attachment 1").

Respectfully submitted on August 25, 2026 by:

/Case Collard/

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), the undersigned certifies that on August 25, 2026, a complete and entire copy of this Patent Owner's Objections to Petitioner's Supplemental Evidence Pursuant to 37 CFR § 42.64(b)(1) was served on the Petitioner via electronic mail at the following addresses:

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