

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOUGHBUILT INDUSTRIES, INC.,
Petitioner,
v.
MERIDIAN INTERNATIONAL CO., LTD.,
Patent Owner.

Case IPR2025-01461
Patent 11,986,946

**PATENT OWNER'S OBJECTION TO EVIDENCE PRESENTED IN
SUPPORT OF PETITION**

Pursuant to 37 C.F.R. § 14.64(b)(1), Patent Owner Meridian International Co., Ltd. (“Meridian”) herby submits its notice of objections under the Federal Rules of Evidence (“FRE”) and 27 C.F.R. §§ 42.62 and 42.64(b)(1) to Exhibits 1013-1024, 1033-1035, and 1037-1042 filed by the Petitioner. Patent Owner's Objections are timely filed under 37 C.F.R. § 42.64(b)(1), within ten business days of the February 18, 2026 Institution Decision. The bases for the objections are as follows:

I. UNCITED PUBLICATIONS, PATENTS, AND FILINGS (Exhibits 1013-1024)

Patent Owner objects to the following publications and patents, which were included as exhibits to the Petition, but not cited in the Petition, as irrelevant, confusing, and of minimal probative value under FRE 401, 402, and 403:

Exhibit 1013	“Standard Handbook of Machine Design” by Shigley – 2 nd Edition
Exhibit 1014	“University Physics Volume 1” Ling et al. (OpenStax)
Exhibit 1015	Declaration of Timothy L. Tang
Exhibit 1016	U.S. Patent No. 5,934,466 to Loeffler, issued August 10, 1999 (“Loeffler”)

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Exhibit 1017	U.S. Patent Application Publication No. 2003/0094392 A1 to Meier et al., published May 22, 2003 (“Meier”)
Exhibit 1018	U.S. Patent Application Publication No. 2019/0291922 A1 to Gonitianer et al., published September 26, 2019 (“Gonitianer922”)
Exhibit 1019	U.S. Patent Application Publication No. 2019/0002004 to Brunner, published January 3, 2019 (“Brunner”)
Exhibit 1020	U.S. Patent No. 9,725,209 B1 to Ben-Gigi, issued August 8, 2017 (“Ben-Gigi”)
Exhibit 1021	U.S. Patent Application Publication No. 2023/0238755 A1 to Shabtai et al., published July 27, 2023 (“Shabtai”)
Exhibit 1022	U.S. Patent Application Publication No. 2020/0165036 to Squiers et al., published May 28, 2020 (“Squiers”)
Exhibit 1023	U.S. Patent Application Publication No. 2019/0315515 A1 to Gonitianer et al., published September 26, 2019 (“Gonitianer515”)
Exhibit 1024	Non-Infringement and Invalidity Report of J. Michael McCarthy, Ph.D., <i>Meridian Int’l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.)

Were these exhibits relevant to the Petition; they would have been referenced in the Petition. As they were not cited, they are plainly not relevant and their probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time.

II. NON-INFRINGEMENT AND INVALIDITY REPORT OF J. MICHAEL McCARTHY, PH.D. (Exhibit 1024)

In addition to not being cited a single time in the Petition, as discussed above, the Non-Infringement and Invalidity Report of Dr. McCarthy is also objectionable because it is irrelevant under FRE 401, 402, and 403; it includes information that is irrelevant or whose probative value to any ground upon which trial is instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time. In addition, were this exhibit relevant to the Petition, it would have been referenced in the Petition. As it was not cited, it is plainly not relevant and its probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time.

III. FILE HISTORY OF U.S. APPLICATION NO. 18-176,907 (Exhibit 1033)

The File History of U.S. Application No. 18-176,907, which was not cited in the Petition, is objectionable because it is irrelevant under FRE 401, 402, and 403;

it includes information that is irrelevant or whose probative value to any ground upon which trial is instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time. In addition, were this exhibit relevant to the Petition, it would have been referenced in the Petition. As it was not cited, it is plainly not relevant and its probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time.

IV. MULTI-STEP U.S. PATENT SEARCH STRATEGY (Exhibit 1034)

The Multi-Step U.S. Patent Search Strategy, which was not cited in the Petition, is objectionable because it is irrelevant under FRE 401, 402, and 403; it includes information that is irrelevant or whose probative value to any ground upon which trial is instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time. In addition, were this exhibit relevant to the Petition, it would have been referenced in the Petition. As it was not cited, it is plainly not relevant and its probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time.

V. COMPLAINT FOR PATENT INFRINGEMENT (Exhibit 1035)

The Complaint for Patent Infringement, which was not cited in the Petition, is objectionable because it is irrelevant under FRE 401, 402, and 403; it includes

information that is irrelevant or whose probative value to any ground upon which trial is instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time. In addition, were this exhibit relevant to the Petition, it would have been referenced in the Petition. As it was not cited, it is plainly not relevant and its probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time.

VI. DECLARATION OF TONY KRIZ (Exhibit 1037)

The Declaration of Tony Kriz, which was not cited in the Petition, is objectionable because it is irrelevant under FRE 401, 402, and 403; it includes information that is irrelevant or whose probative value to any ground upon which trial is instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time. In addition, were this exhibit relevant to the Petition, it would have been referenced in the Petition. As it was not cited, it is plainly not relevant and its probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time.

VII. MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION (Exhibit 1038)

The Memorandum of Points and Authorities in Support of Plaintiff's Motion for Preliminary Injunction, which was not cited in the Petition, is objectionable because it is irrelevant under FRE 401, 402, and 403; it includes information that is irrelevant or whose probative value to any ground upon which trial is instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time. In addition, were this exhibit relevant to the Petition, it would have been referenced in the Petition. As it was not cited, it is plainly not relevant and its probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time.

VIII. PLAINTIFF'S INFRINGEMENT CONTENTIONS (Exhibit 1039)

The Plaintiff's Infringement Contentions, which was not cited in the Petition, is objectionable because it is irrelevant under FRE 401, 402, and 403; it includes information that is irrelevant or whose probative value to any ground upon which trial is instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time. In addition, were this exhibit relevant to the Petition, it would have been referenced in the Petition. As it was not cited, it is plainly not relevant and its probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time.

IX. MATERIALS FROM IPR2025-01462 (Exhibits 1040-1041)

The Materials from IPR2025-01462, which were not cited in the Petition, are objectionable because they are irrelevant under FRE 401, 402, and 403; they include information that is irrelevant or whose probative value to any ground upon which trial is instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time.

X. THESAURUS (Exhibit 1042)

The Thesaurus, which was not cited in the Petition, is objectionable because it is irrelevant under FRE 401, 402, and 403; it includes information that is irrelevant or whose probative value to any ground upon which trial is instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time. In addition, were this exhibit relevant to the Petition, it would have been referenced in the Petition. As it was not cited, it is plainly not relevant and its probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, or wasting time.

XI. CONCLUSION

Therefore, Patent Owner preserves its right to file motions to exclude these exhibits under 37 C.F.R. § 42.64(c) to the extent that Petitioner fails to correct the aforementioned defects with these exhibits.

Dated: March 4, 2026

Respectfully Submitted,

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Attorneys for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing ***Patent Owner's Objection to Evidence Presented in Support of Petition*** was served via electronic mail, per agreement of the parties, in its entirety, on Petitioner's attorneys of record in IPR2025-01461 on the date indicated below.

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Dated: March 4, 2026

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