

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 IPR2025-01462
U.S. Patent No. 11,192,689

PETITIONER’S OBJECTIONS TO EVIDENCE

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Patent Trial and Appeal Board
U.S. Patent and Trademark Office
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Petitioner ToughBuilt Industries, Inc. (“Petitioner”) objects under the Federal Rules of Evidence (FRE) and 37 C.F.R. § 42.64(b)(1) to the admissibility of Exhibits 2002, 2005, 2006, 2007, 2008, and 2011 (the “Challenged Evidence”), filed by Patent Owner Meridian International Co., Ltd. (“Patent Owner”).

Petitioner’s Objections are timely filed under 37 C.F.R. § 42.64(b)(1), within ten business days of the February 10, 2026, Institution Decision. Petitioner files these Objections to provide notice to Patent Owner that Petitioner may move to exclude the Challenged Evidence under 37 C.F.R. § 42.64(c).

I. IDENTIFICATION OF GROUNDS FOR OBJECTIONS

A. Exhibit 2002

Exhibit 2002 is the Hearing Re: Plaintiff’s Motions to Dismiss Second Amended Counterclaims [71 & 76]; Scheduling Order, issued in *Meridian International Co., Ltd. v. ToughBuilt Industries, Inc.*, Civil Action No. 8:24-cv-01840 (C.D. Cal.). Petitioner objects to Exhibit 2002 as being irrelevant under FRE 401, 402, and 403 for including 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.

B. Exhibit 2005

Exhibit 2005 is Defendant’s First Amended Invalidity Contentions, submitted in *Meridian International Co., Ltd. v. ToughBuilt Industries, Inc.*, Civil Action No. 8:24-cv-01840 (C.D. Cal.). Petitioner objects to Exhibit 2005 as being

irrelevant under FRE 401, 402, and 403 for including 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.

C. Exhibit 2006

Exhibit 2006 purports to be a printout of a product webpage showing an exemplary Meridian product on sale. Petitioner objects to Exhibit 2006 as being irrelevant under FRE 401, 402, and 403 for including 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. Petitioner also objects to Exhibit 2006 as impermissible hearsay under FRE 801 and 802 to the extent this document is offered for the truth of the matters asserted. Patent Owner has not identified any applicable exception or exclusion to the rule against hearsay that applies to this document. Petitioner further objects to Exhibit 2006 under FRE 901 because Patent Owner has not presented evidence sufficient to support a finding that the document in question is what Patent Owner claims it to be. There is no evidence that the document is self-authenticating under FRE 902.

D. Exhibit 2007

Exhibit 2007 is the Declaration of Tony Kriz in Support of Motion for

Preliminary Injunction, submitted in *Meridian International Co., Ltd. v.*

ToughBuilt Industries, Inc., Civil Action No. 8:24-cv-01840 (C.D. Cal.). Petitioner objects to Exhibit 2007 as being irrelevant under FRE 401, 402, and 403 for including 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. Petitioner also objects to Exhibit 2007 improper non-expert testimony under FRE 701. Exhibit 2007 is the testimony of a lay person not helpful to determining a fact at issue in the present case. Petitioner further objects to Exhibit 2008 as impermissible hearsay under FRE 801 and 802 to the extent this document is offered for the truth of the matters asserted. Patent Owner has not identified any applicable exception or exclusion to the rule against hearsay that applies to this document.

E. Exhibit 2008

Exhibit 2008 purports to be excerpts from a transcript of the deposition of Michael Panosian, taken for *Meridian International Co., Ltd. v. ToughBuilt Industries, Inc.*, Civil Action No. 8:24-cv-01840 (C.D. Cal.). Petitioner objects to Exhibit 2008 as being irrelevant under FRE 401, 402, and 403 for including 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. Petitioner also objects to

Exhibit 2008 as improper non-expert testimony under FRE 701. Exhibit 2008 is the testimony of a lay person not helpful to determining a fact at issue in the present case. Petitioner further objects to Exhibit 2008 as impermissible hearsay under FRE 801 and 802 to the extent this document is offered for the truth of the matters asserted. Patent Owner has not identified any applicable exception or exclusion to the rule against hearsay that applies to this document.

Additionally, Exhibit 2008 is marked as “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” on page 1 of the transcript (PDF page 3 of Exhibit 2008). Petitioner objects to Patent Owner’s public submission of Exhibit 2008. The transcript has not been publicly submitted in Civil Action No. 8:24-cv-01840.

F. Exhibit 2011

Exhibit 2011 is the Declaration of John D. Pratt, Ph.D., P.E. in Support of Motion for Preliminary Injunction, submitted in *Meridian International Co., Ltd. v. ToughBuilt Industries, Inc.*, Civil Action No. 8:24-cv-01840 (C.D. Cal.). Petitioner objects to Exhibit 2011 as being irrelevant under FRE 401, 402, and 403 for including 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. Petitioner also objects to Exhibit 2011 as improper expert testimony under FRE 702, 703, and 37 C.F.R. § 42.65. There has not been an adequate showing that Mr. Pratt’s testimony

is based on sufficient facts or data, is the product of reliable principles or methods, or that the testimony will help the Board understand the evidence or determine a fact at issue. Petitioner further objects to Exhibit 2011 as impermissible hearsay under FRE 801 and 802 to the extent this document is offered for the truth of the matters asserted. Patent Owner has not identified any applicable exception or exclusion to the rule against hearsay that applies to this document.

II. CONCLUSION

To the extent Patent Owner fails to correct the defects associated with the Challenged Evidence in view of Petitioner's objections herein, Petitioner may file a motion to exclude the Challenged Evidence under 37 C.F.R. § 42.64(c).

Respectfully submitted,

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Date: February 25, 2026

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

I certify that the above-captioned **PETITIONER’S OBJECTIONS TO EVIDENCE** was served in its entirety on February 25, 2026, upon the following parties via electronic mail:

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