

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
Patent 11,192,689

RESPONSE TO PETITIONER'S OBJECTIONS TO EVIDENCE

TABLE OF CONTENTS

	Page
I. DR. VALLEE’S TESTIMONY IS PROPER AND ADMISSIBLE.....	1
II. CONCLUSION.....	2

UPDATED EXHIBIT LIST		
2001	Declaration of Ann G. Fort	Sept. 19, 2025
2002	<i>Meridian International v. ToughBuilt</i> Minutes of Hearing RE: Scheduling Conference (Docket No. 80)	Nov. 10, 2025
2003	March 24, 2025 PTAB Memo On IPR Proceedings	Nov. 10, 2025
2004	March 26, 2025 PTAB Memo on Interim Processes	Nov. 10, 2025
2005	<i>Meridian International v. ToughBuilt</i> First Amended Invalidity Contentions	Nov. 10, 2025
2006	Exemplary Meridian Product on Sale 2022	Nov. 10, 2025
2007	<i>Meridian International v. ToughBuilt</i> Declaration of Tony Kriz	Nov. 10, 2025
2008	<i>Meridian International v. ToughBuilt</i> Excerpts from Panosian Declaration	Nov. 10, 2025
2009	Interim Director Discretionary Processes	Nov. 10, 2025
2010	FAQs for Interim Processes	Nov. 10, 2025
2011	<i>Meridian International v. ToughBuilt</i> Declaration of John D. Pratt, Ph.D., P.E.	Dec. 9, 2025
2012	Declaration of Glenn E. Vallee, Ph.D., P.E.	May 14, 2026
2013	Curriculum Vitae of Glenn E. Vallee, Ph.D., P.E.	May 14, 2026

UPDATED EXHIBIT LIST		
2014	Transcript of May 7, 2026 Deposition of J. Michael McCarthy, Ph.D.	May 14, 2026
2015	U.S. Patent Application No. 16/846,878 to Cai (the “’878 Application”)	May 14, 2026
2016	CN Patent Application No. 201922118361.7 to Cai (the “CN ’361 Application”)	May 14, 2026
2017	Certified English Translation of the CN ’361 Application	May 14, 2026
2018	Supplemental Declaration of Glenn E. Vallee, Ph.D., P.E.	June 3, 2026

Patent Owner's Response to Petitioner's Objection to Evidence

Patent Owner Meridian International Co., Ltd. ("Meridian") hereby submits this Response to Petitioner's objections as well as supplemental evidence in the form of the Supplemental Declaration of Dr. Glenn E. Vallee, Ph.D., P.E. (**Exhibit 2018**), pursuant to 37 C.F.R. § 42.64(b)(2). This response and submission of supplemental evidence is timely filed, within ten (10) business days of May 21, 2026. 37 C.F.R. § 42.64(b)(2).

I. DR. VALLEE'S TESTIMONY IS PROPER AND ADMISSIBLE

As set forth in the concurrently filed Supplemental Declaration of Dr. Glenn E. Vallee, Ph.D., P.E. (**Exhibit 2018**), Petitioner's objections to Dr. Vallee's testimony are baseless and unsupported by any fact or evidence of record. Dr. Vallee is an expert in the fields relevant to U.S. Patent No. 11,192,689, with significant experience and expertise in the fields of mechanical engineering, consumer product design, and latching mechanisms. (**Exhibit 2018**, ¶¶ 5-13.) The Declaration of Dr. Glenn E. Vallee Ph.D., P.E. (**Exhibit 2012**) and the Curriculum Vitae of Dr. Glenn E. Vallee, Ph.D., P.E. (**Exhibit 2013**) submitted on May 14, 2026, along with the Supplemental Declaration submitted herewith, make it clear that Dr. Vallee is a person of more than ordinary skill in the art, and therefore is eligible to testify as an expert witness in this matter. *Kyocera Senco Indus. Tools v. ITC*, 22 F.4th 1369-77 (Fed. Cir. 2022) ("To offer expert testimony from the perspective of a skilled artisan

Patent Owner's Response to Petitioner's Objection to Evidence

in a patent case ... a witness must at least have ordinary skill in the art"). In accordance with the definitions of a POSA set forth by Petitioner (Petition, Paper 2 at 6) and Meridian (Response, Paper 26 at 2), Dr. Vallee has at least the level of experience as one of ordinary skill in the art.

Moreover, Dr. Vallee's testimony is based upon sufficient facts and data and is the product of reliable principles and methods. (**Exhibit 2018**, ¶¶ 14-15.) Dr. Vallee's testimony will also help the Board understand the evidence or determine a fact in issue. (**Exhibit 2018**, ¶¶ 16-19.) Petitioner does not set forth any evidence to support the conclusory statements that Dr. Vallee's testimony is not based upon sufficient facts and data and is the product of reliable principles and methods, or that Dr. Vallee's testimony will not help the Board understand the evidence to determine a fact in issue.

For at least these reasons, Dr. Vallee's expert declaration is proper and admissible.

II. CONCLUSION

Because Petitioner's Objections are baseless, Patent Owner respectfully submits that Dr. Vallee's testimony is properly before the Board.

Patent Owner's Response to Petitioner's Objection to Evidence

Dated: June 3, 2026

Respectfully Submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing *Patent Owner's Response to Petitioner's Objections to Evidence* was served via electronic mail, per agreement of the parties, in its entirety, on Petitioner's attorneys of record in IPR2025-01462 on the date indicated below.

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Dated: June 3, 2026

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