

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MEDTRONIC, INC.,
Petitioner,

v.

MOSKOWITZ FAMILY LLC,
Patent Owner.

Case IPR2026-00162
Patent No. 12,011,367

**PETITIONER'S OBJECTIONS TO EVIDENCE
PURSUANT TO 37 C.F.R. § 42.64**

Pursuant to 37 C.F.R. § 42.64, Petitioner submits the following objections to evidence served with Patent Owner's Response ("Response") and accompanying exhibits. Petitioner's objections apply to Patent Owner's reliance on these exhibits in the Response and in any other paper filed or served in this proceeding. These objections are timely, having been filed and served within five business days after receipt of the Response.

Exhibit	Objections
Ex. 2071 — Declaration of Dr. Nathan C. Moskowitz	FRE 602: Petitioner objects to Dr. Moskowitz's testimony as he purports to testify about third-party acts, third-party intent, attorney conduct, engineering work performed by others, or undocumented meetings without adequate foundation establishing personal knowledge. FRE 701/702: Declaration includes an expert-level conclusion unsupported by qualification, methodology, or factual basis, as required under FRE 702, and exceeds the scope of permissible lay opinion under FRE 701. FRE 801/802: Numerous paragraphs (e.g., ¶82) include statements by third parties reported by Dr. Moskowitz rather than directly. These are out-of-court statements offered for their truth and constitute inadmissible hearsay under FRE 801 and 802.

	FRE 403: Dr. Moskowitz's uncorroborated testimony regarding conception and diligence is substantially outweighed by the risk of unfair prejudice and misleading the Board.
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Respectfully submitted,

Dated: September 8, 2026

By: /Naveen Modi/

Naveen Modi (Reg. No. 46,224)
Counsel for Petitioner

CERTIFICATE OF SERVICE

I certify that I caused to be served on the counsel identified below a true and correct copy of the foregoing Petitioner's Objections to Evidence by electronic means on September 8, 2026:

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