

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SIMPSON STRONG-TIE COMPANY INC.
Petitioner

v.

COLUMBIA INSURANCE COMPANY
Patent Owner

Case PGR2024-00050
Patent No. 11,920,339

**PATENT OWNER'S OBJECTIONS TO EVIDENCE SERVED BY
PETITIONER IN POST GRANT REVIEW**

Pursuant to 37 C.F.R. § 42.64(b), Patent Owner Columbia Insurance Company (“Columbia”) objects as follows to the admissibility of evidence served with the Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend filed by Petitioner Simpson Strong-Tie Company Inc.:

Evidence	Objections
Ex. 1047 - Declaration of Sam Hensen in Support of Reply to Patent Owner’s Response	FRE 402, 403: Paragraphs 36-45, 51-53, and 55-56 were not cited in either Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, these paragraphs are not relevant to any argument properly raised in this proceeding. F.R.E. 602: Paragraphs 5-19, 26-35, 48, and 55-56. The witness has not demonstrated that he has personal knowledge of the matters testified about. F.R.E. 701, 702: Paragraphs 23, 47, and 50-56. Improper opinion testimony by a lay witness under FRE 701. Simpson Strong-Tie has not established the declarant as an expert in the subject matter discussed. Further, the opinions presented are not the product of reliable principles and methods. F.R.E. 802: Paragraphs 26-35, 48, 55-56. Witness admits that the testimony in Paragraphs 26-35, 48, and 56 was

Evidence	Objections
	based on “communicat[ions] with Mr. Evans about the development process and review[of] documentation related to research, development, and testing of the various concepts that Simpson was Considering.” Ex. 1047 at Paragraph 25. Witness admits that the testimony in Paragraph 55 included information he “recall[ed] hearing.” 37 C.F.R. 42.6(a)(3): Paragraphs 36-45, 51-53, and 55-56 were not cited in either Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. To the extent that these paragraphs are cited in a document improperly incorporated by reference in either Petitioner’s Reply to Patent Owner’s Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. <i>See</i> November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1066 - <i>Simpson Strong-Tie Company, Inc. Columbia Insurance Co.</i>, PGR2023-00047, Final Written Decision, Paper 14 (P.T.A.B. Feb. 28, 2025)	FRE 402, 403: This exhibit represents findings and opinions in a proceeding in which different claim limitations, different legal arguments, and different evidence was at issue. Thus, any probative value is substantially outweighed by a danger of unfair

Evidence	Objections
	prejudice, confusing the issues, and misleading the fact finder.
Ex. 1067 - <i>Simpson Strong-Tie Company, Inc. Columbia Insurance Co.</i>, PGR2021-00109, Final Written Decision, Paper 73 (P.T.A.B. Mar. 15, 2023)	FRE 402, 403: This exhibit represents findings and opinions in a proceeding in which different claim limitations, different legal arguments, and different evidence was at issue. Thus, any probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, and misleading the fact finder. Further, this exhibit was not cited in either Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding. 37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner’s Reply to Patent Owner’s Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. See November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1068 – Declaration of W. Andrew Fennell in Support of Petitioner’s Reply to Patent Owner’s Response and	37 C.F.R. 42.6(a)(3): Paragraphs 22-24, 28-30, 33, 36-40, 42-55, 61-67, 70-83, 85-100, 106-116, 136-149, 152-154, 163, and 172 from W. Andrew

Evidence	Objections
Petitioner's Opposition to Patent Owner's Contingent Motion to Amend	Fennell's Declaration are improperly incorporated by reference into Petitioner's Reply to Patent Owner's Response. Petitioner's incorporation by reference of these paragraphs into the Petitioner's Reply to Patent Owner's Response represent an improper attempt to circumvent the word count limit for the Reply. <i>See</i> November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative). F.R.E. 701, 702: Paragraphs 143-149. Simpson Strong-Tie has not established the declarant as an expert in the subject matter discussed. Further, the opinions presented are not the product of reliable principles and methods.
Ex. 1072 - Wayback Machine Screenshot of Gypsum Association Website showing Fire Resistance Design Manual (GA-600-12) (November 12, 2012)	FRE 402, 403: This exhibit was not cited in either Petitioner's Reply to Patent Owner's Response and Petitioner's Opposition to Patent Owner's Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding. 37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner's Reply to Patent Owner's Response, such incorporated by reference represents an improper attempt to circumvent the word count

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	limit for the Reply. <i>See</i> November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1073 - Simpson Email (SST0012139)	FRE 402, 403: This exhibit was not cited in either Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding. 37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner’s Reply to Patent Owner’s Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. <i>See</i> November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1074 - Simpson Email (SST0012139)	FRE 402, 403: This exhibit was not cited in either Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding.

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	37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner’s Reply to Patent Owner’s Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. <i>See</i> November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1074 - Simpson Email (SST0037770)	FRE 402, 403: This exhibit was not cited in either Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding. 37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner’s Reply to Patent Owner’s Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. <i>See</i> November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1075 - Simpson Email (SST0087068)	FRE 402, 403: This exhibit was not cited in either Petitioner’s Reply to

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	Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding. 37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner’s Reply to Patent Owner’s Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. <i>See</i> November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1076 - Simpson Email (SST0087225)	FRE 402, 403: This exhibit was not cited in either Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding. 37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner’s Reply to Patent Owner’s Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. <i>See</i> November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco</i>

Evidence	Objections
	<i>Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1077 - Simpson Email (SST0087439)	FRE 402, 403: This exhibit was not cited in either Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding. 37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner’s Reply to Patent Owner’s Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. See November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1078 - Simpson Photos of Prototype Joist Hangers	FRE 402, 403: This exhibit was not cited in either Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding. 37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner’s Reply to Patent

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	Owner's Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. <i>See</i> November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1079 - Simpson Photos of Prototype Joist Hangers	FRE 402, 403: This exhibit was not cited in either Petitioner's Reply to Patent Owner's Response and Petitioner's Opposition to Patent Owner's Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding. 37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner's Reply to Patent Owner's Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. <i>See</i> November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative). 37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner's Reply to Patent Owner's Response, such incorporated by reference represents an improper

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	attempt to circumvent the word count limit for the Reply. See November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1080 - Simpson Photos of Prototype Joist Hangers	FRE 402, 403: This exhibit was not cited in either Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding. 37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner’s Reply to Patent Owner’s Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. See November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1081 - U.S. Gypsum Company, “Pre Dry-In construction: The Evolution of Construction Starts From Within,” White Paper (2014)	FRE 402, 403: This exhibit was not cited in either Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding.

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	37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner’s Reply to Patent Owner’s Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. <i>See</i> November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1083 - Simpson Email (SST0012141)	FRE 402, 403: This exhibit was not cited in either Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding. 37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner’s Reply to Patent Owner’s Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. <i>See</i> November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1084 - Simpson Email (SST0087474)	FRE 402, 403: This exhibit was not cited in either Petitioner’s Reply to

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	Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding. 37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner’s Reply to Patent Owner’s Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. <i>See</i> November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1085 - Simpson Email (SST0037834)	FRE 402, 403: This exhibit was not cited in either Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding. 37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document improperly incorporated by reference in either Petitioner’s Reply to Patent Owner’s Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. <i>See</i> November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco</i>

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	<i>Systems, Inc. v. C-Cation Techs., LLC</i> , Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
Ex. 1086 - <i>Simpson Strong-Tie Company, Inc. Columbia Insurance Co.</i> , PGR2021-00109, Patent Owner’s Response, Paper 45 (P.T.A.B. Jun. 9, 2022)	FRE 402, 403: This exhibit represents legal argument raised in a proceeding in which different claim limitations and different evidence was at issue. Thus, any probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, and misleading the fact finder. Further, this exhibit was not cited in either Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding.
Ex. 1087 - <i>Simpson Strong-Tie Company, Inc. Columbia Insurance Co.</i> , PGR2019-00063, Patent Owner’s Response, Paper 27 (P.T.A.B. Jun. 4, 2020)	FRE 402, 403: This exhibit represents legal argument raised in a proceeding in which different claim limitations and different evidence was at issue. Thus, any probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, and misleading the fact finder. Further, this exhibit was not cited in either Petitioner’s Reply to Patent Owner’s Response and Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend. Thus, is not relevant to any argument properly raised in this proceeding. 37 C.F.R. 42.6(a)(3): To the extent that this exhibit is cited in a document

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	improperly incorporated by reference in either Petitioner's Reply to Patent Owner's Response, such incorporated by reference represents an improper attempt to circumvent the word count limit for the Reply. See November 2019 PTAB Consolidated Trial Practice Guide at pgs. 35-36; <i>Cisco Systems, Inc. v. C-Cation Techs., LLC</i>, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).

Dated: August 25, 2025

Respectfully submitted,

/Kurt F. James/

Kurt F. James, Reg. No. 33,716

Counsel for Columbia Insurance Company

CERTIFICATE OF SERVICE

Under 37 C.F.R. § 42.6(e), the undersigned certifies that on August 25, 2025, a copy of the foregoing was served via email on the following:

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