

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MULTI-COLOR CORPORATION,
Petitioner,

v.

BROOK & WHITTLE LIMITED,
Patent Owner.

Case PGR2025-00025
U.S. Patent No. 11,961,422

**PETITIONER'S OBJECTIONS TO EVIDENCE SUBMITTED WITH
PATENT OWNER'S RESPONSE**

Petitioner Multi-Color Corporation (“Petitioner” or “Multi-Color”) hereby objects to the following evidence that was served by Patent Owner Brook & Whittle Ltd. (“Patent Owner” or “B+W”) with their Patent Owner’s Response (“Response”) on February 4, 2026, in the above-captioned proceeding. In accordance with 37 C.F.R. § 42.64(b)(1), these objections are being timely filed and served within five (5) business days of service of evidence to which these objections are directed.

<u>Evidence</u>	<u>Objections</u>
EX2012 - Declaration of Dr. Maureen Reitman	Petitioner objects to Exhibit 2012 for the following reasons: FRE 401-403 (relevance; more prejudicial than probative; confusing; and misleading); FRE 701-702 (improper expert testimony; opinions not based on sufficient facts or data); FRE 802 (hearsay); and FRE 901 (authentication). Specifically, Petitioner objects to Exhibit 2012 to the extent that Dr. Reitman’s testimony contains theories not supported by underlying admissible evidence. Petitioner objects to Exhibit 2012 as irrelevant, lacking foundation, assuming facts not in evidence, calling for legal conclusion, and mischaracterizing evidence. Petitioner further objects to the exhibit to the extent that it includes expert opinions for which the factual bases have not been disclosed, for which Dr. Reitman does not have personal knowledge (FRE 602), and to the extent that Dr. Reitman’s opinions constitute unreliable expert testimony under FRE 702 and 703, and as impermissibly based on hearsay under FRE 801-803 to the extent statements from references are relied on for the truth of the matter asserted.

	Petitioner objects to the portions of the exhibit not discussed or cited in the Response as not being relevant to any issue on which trial has been instituted.
EX2013 - Declaration of Dr. Scott Phillips	Petitioner objects to Exhibit 2013 for the following reasons: FRE 401-403 (relevance; more prejudicial than probative; confusing; and misleading); FRE 701-702 (improper expert testimony; opinions not based on sufficient facts or data); FRE 802 (hearsay); and FRE 901 (authentication). Specifically, Petitioner objects to Exhibit 2013 to the extent that Dr. Phillips’s testimony contains theories not supported by underlying admissible evidence. Petitioner objects to Exhibit 2013 as irrelevant, lacking foundation, assuming facts not in evidence, calling for legal conclusion, and mischaracterizing evidence. Petitioner further objects to the exhibit to the extent that it includes expert opinions for which the factual bases have not been disclosed, for which Dr. Phillips does not have personal knowledge (FRE 602), and to the extent that Dr. Phillips’s opinions constitute unreliable expert testimony under FRE 702 and 703, and as impermissibly based on hearsay under FRE 801-803 to the extent statements from references are relied on for the truth of the matter asserted. Petitioner objects to the portions of the exhibit not discussed or cited in the Response as not being relevant to any issue on which trial has been instituted.
EX2014	For lack of authentication under FRE 901 (Patent Owner has failed to “produce evidence sufficient to support a finding that the item is what the proponent claims it is” per FRE 901(a)). As hearsay under FRE 801-803 to the extent statements therein are relied on for the truth of the matter asserted. And under FRE 401-403 as being irrelevant, more prejudicial than

	probative, confusing and misleading. Exhibit 2014 is relied upon to support an assertion that is not supported by the cited passages. Petitioner likewise objects to any portion of the Response, Dr. Reitman’s Declaration, and Dr. Phillips’s Declaration purporting to rely on Exhibit 2014.
EX2015	For lack of authentication under FRE 901 (Patent Owner has failed to “produce evidence sufficient to support a finding that the item is what the proponent claims it is” per FRE 901(a)). As hearsay under FRE 801-803 to the extent statements therein are relied on for the truth of the matter asserted. And under FRE 401-403 as being irrelevant, more prejudicial than probative, confusing and misleading. Exhibit 2015 is relied upon to support an assertion that is not supported by the cited passages. Petitioner likewise objects to any portion of the Response, Dr. Reitman’s Declaration, and Dr. Phillips’s Declaration purporting to rely on Exhibit 2015.
EX2017	For lack of authentication under FRE 901 (Patent Owner has failed to “produce evidence sufficient to support a finding that the item is what the proponent claims it is” per FRE 901(a)). As hearsay under FRE 801-803 to the extent statements therein are relied on for the truth of the matter asserted. And under FRE 401-403 as being irrelevant, more prejudicial than probative, confusing and misleading. Exhibit 2017 is relied upon to support an assertion that is not supported by the cited passages. Petitioner likewise objects to any portion of the Response, Dr. Reitman’s Declaration, and Dr. Phillips’s Declaration purporting to rely on Exhibit 2017.

EX2018	For lack of authentication under FRE 901 (Patent Owner has failed to “produce evidence sufficient to support a finding that the item is what the proponent claims it is” per FRE 901(a)). As hearsay under FRE 801-803 to the extent statements therein are relied on for the truth of the matter asserted. And under FRE 401-403 as being irrelevant, more prejudicial than probative, confusing and misleading. Exhibit 2018 is relied upon to support an assertion that is not supported by the cited passages. Petitioner likewise objects to any portion of the Response, Dr. Reitman’s Declaration, and Dr. Phillips’s Declaration purporting to rely on Exhibit 2018.
EX2019	For lack of authentication under FRE 901 (Patent Owner has failed to “produce evidence sufficient to support a finding that the item is what the proponent claims it is” per FRE 901(a)). As hearsay under FRE 801-803 to the extent statements therein are relied on for the truth of the matter asserted. And under FRE 401-403 as being irrelevant, more prejudicial than probative, confusing and misleading. Exhibit 2019 is relied upon to support an assertion that is not supported by the cited passages. Petitioner likewise objects to any portion of the Response, Dr. Reitman’s Declaration, and Dr. Phillips’s Declaration purporting to rely on Exhibit 2019.
EX2020	For lack of authentication under FRE 901 (Patent Owner has failed to “produce evidence sufficient to support a finding that the item is what the proponent claims it is” per FRE 901(a)). As hearsay under FRE 801-803 to the extent statements therein are relied on for the truth of the matter asserted. And under FRE 401-403 as being irrelevant, more prejudicial than probative, confusing and misleading. Exhibit 2020 is relied upon to support an assertion that is not supported by the cited passages.

	Petitioner likewise objects to any portion of the Response, Dr. Reitman’s Declaration, and Dr. Phillips’s Declaration purporting to rely on Exhibit 2020.
EX2021	For lack of authentication under FRE 901 (Patent Owner has failed to “produce evidence sufficient to support a finding that the item is what the proponent claims it is” per FRE 901(a)). As hearsay under FRE 801-803 to the extent statements therein are relied on for the truth of the matter asserted. And under FRE 401-403 as being irrelevant, more prejudicial than probative, confusing and misleading. Exhibit 2021 is relied upon to support an assertion that is not supported by the cited passages. Petitioner likewise objects to any portion of the Response, Dr. Reitman’s Declaration, and Dr. Phillips’s Declaration purporting to rely on Exhibit 2021.
EX2022	For lack of authentication under FRE 901 (Patent Owner has failed to “produce evidence sufficient to support a finding that the item is what the proponent claims it is” per FRE 901(a)). As hearsay under FRE 801-803 to the extent statements therein are relied on for the truth of the matter asserted. And under FRE 401-403 as being irrelevant, more prejudicial than probative, confusing and misleading. Exhibit 2022 is relied upon to support an assertion that is not supported by the cited passages. Petitioner likewise objects to any portion of the Response, Dr. Reitman’s Declaration, and Dr. Phillips’s Declaration purporting to rely on Exhibit 2022.
EX2023	For lack of authentication under FRE 901 (Patent Owner has failed to “produce evidence sufficient to support a finding that the item is what the proponent claims it is” per FRE 901(a)). As hearsay under FRE 801-803 to the extent statements therein are relied on

	for the truth of the matter asserted. And under FRE 401-403 as being irrelevant, more prejudicial than probative, confusing and misleading. Exhibit 2023 is relied upon to support an assertion that is not supported by the cited passages. Petitioner likewise objects to any portion of the Response, Dr. Reitman's Declaration, and Dr. Phillips's Declaration purporting to rely on Exhibit 2023.
EX2030	For lack of authentication under FRE 901 (Patent Owner has failed to "produce evidence sufficient to support a finding that the item is what the proponent claims it is" per FRE 901(a)). As hearsay under FRE 801-803 to the extent statements therein are relied on for the truth of the matter asserted. And under FRE 401-403 as being irrelevant, more prejudicial than probative, confusing and misleading. Exhibit 2030 is relied upon to support an assertion that is not supported by the cited passages. Petitioner likewise objects to any portion of the Response, Dr. Reitman's Declaration, and Dr. Phillips's Declaration purporting to rely on Exhibit 2030.
EX2034	For lack of authentication under FRE 901 (Patent Owner has failed to "produce evidence sufficient to support a finding that the item is what the proponent claims it is" per FRE 901(a)). As hearsay under FRE 801-803 to the extent statements therein are relied on for the truth of the matter asserted. And under FRE 401-403 as being irrelevant, more prejudicial than probative, confusing and misleading. Exhibit 2034 is relied upon to support an assertion that is not supported by the cited passages. Petitioner likewise objects to any portion of the Response, Dr. Reitman's Declaration, and Dr. Phillips's Declaration purporting to rely on Exhibit 2034.

EX2036	For lack of authentication under FRE 901 (Patent Owner has failed to “produce evidence sufficient to support a finding that the item is what the proponent claims it is” per FRE 901(a)). As hearsay under FRE 801-803 to the extent statements therein are relied on for the truth of the matter asserted. And under FRE 401-403 as being irrelevant, more prejudicial than probative, confusing and misleading. Exhibit 2036 is relied upon to support an assertion that is not supported by the cited passages. Petitioner likewise objects to any portion of the Response, Dr. Reitman’s Declaration, and Dr. Phillips’s Declaration purporting to rely on Exhibit 2036.
--------	--

Respectfully submitted,

Dated: February 11, 2026

/Brett A. Schatz/
Brett A. Schatz, Reg. No. 59,764
Louis H. Sitler, Reg. No. 81,818
Wood, Herron & Evans LLP
600 Vine Street
Suite 2800
Cincinnati, OH 45202
(513) 707-0418

Attorneys for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on February 11, 2026, a complete and entire copy of the foregoing Petitioner's Objection to Evidence Submitted with Patent Owner's Response was provided via email to the Patent Owner by serving the email correspondence addresses of record as follows:

W. Todd Baker, Reg. No. 45,265
Steven Dirks
Kelly Tripathi

KIRKLAND & ELLIS LLP.
1301 Pennsylvania Ave., N.W.
Washington, D.C. 20004
Tel.: (202) 389-3135 Fax: (202) 389-5200
BWhittle_PGR_KE@kirkland.com

/Louis H. Sitler/
Louis H. Sitler, Reg. No. 81,818
Wood, Herron & Evans LLP
600 Vine Street
Suite 2800
Cincinnati, OH 45202