

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ADVANCELL PTY LTD.,  
Petitioner,

v.

SCIENCONS, AS and ARTBIO, INC.,  
Patent Owner.

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Case No. PGR2025-00040  
Patent No. 12,249,437

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**PATENT OWNER'S OBJECTIONS TO EVIDENCE**

## **I. INTRODUCTION**

Pursuant to 37 C.F.R. § 42.64(b)(1), Sciencons, AS and ARTBIO, Inc. (“Patent Owner”) submits the following objections to AdvanCell Pty, Ltd. (“Petitioner”) Exhibits 1002 and 1019.

Petitioner’s objections are made pursuant to the Code of Federal Regulations (“C.F.R.”) governing this proceeding, including without limitation 37 C.F.R. §§ 42.61-42.65 and § 42.6(a)(3). As required by 37 C.F.R. § 42.62, Petitioner’s objections below apply the Federal Rules of Evidence (“F.R.E.”).

## **II. OBJECTIONS**

### **1. Declaration of Saed Mirzadeh (Exhibit 1002)**

Grounds for Objection: F.R.E. 401 (Test for Relevant Evidence); F.R.E. 402 (General Admissibility of Relevant Evidence); F.R.E. 403 (Excluding Relevant Evidence for Prejudice, Confusion, Waste of Time, or Other Reasons); F.R.E. 701, 702, 703 (Expert Foundation and Opinions); F.R.E. 802 (Hearsay Inadmissible).

Exhibit 1002 is a declaration of Saed Mirzadeh and is objected to in its entirety. Dr. Mirzadeh fails to provide a reasoned basis or other foundation for his opinions. Moreover, Dr. Mirzadeh’s opinions are not the product of reliable principles and methods. To the extent exhibit 1002 is deemed relevant, its admission would be unduly prejudicial, misleading, and a waste of time. F.R.E. 401-403. Exhibit 1002 is further objected to under objected to under F.R.E. 802 as

resting on statements constituting hearsay without satisfying any of the hearsay exceptions.

## **2. Declaration of Per Hoff (Exhibit 1019)**

Grounds for Objection: F.R.E. 401 (Test for Relevant Evidence); F.R.E. 402 (General Admissibility of Relevant Evidence); F.R.E. 403 (Excluding Relevant Evidence for Prejudice, Confusion, Waste of Time, or Other Reasons); F.R.E. 701, 702, 703 (Expert Foundation and Opinions); F.R.E. 802 (Hearsay Inadmissible).

Exhibit 1019 is a declaration of Per Hoff. Patent Owner objects to paragraphs 38-72 of exhibit 1019, as Dr. Hoff's opinions expressed in these paragraphs are conclusory, rendering them defective in a manner incurable at trial. F.R.E. 701-703. Among other defects, Dr. Hoff fails to provide a reasoned basis or other foundation for his opinions. Moreover, Dr. Hoff's opinions are not the product of reliable principles and methods.

Exhibit 1019 is also irrelevant to the issues at trial. F.R.E 401-402. To the extent exhibit 1019 is deemed relevant, its admission would be unduly prejudicial, misleading, and a waste of time. F.R.E. 403. Exhibit 1019 is further objected to under objected to under F.R.E. 802 as resting on statements constituting hearsay without satisfying any of the hearsay exceptions.

### **III. CONCLUSION**

The aforementioned exhibits were served prior to institution. These objections are made within 10 business days of institution pursuant to 37 C.F.R. § 42.64.

Respectfully submitted,

Dated: November 21, 2025

/ Michael T. Rosato /  
Michael T. Rosato, Lead Counsel  
Reg. No. 52,182

## **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing Patent Owner's Objections to Evidence was served on November 21, 2025, at the following electronic service addresses:

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Respectfully submitted,

Dated: November 21, 2025

/ Michael T. Rosato /  
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