

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AdvanCell Pty Ltd.
Petitioner

v.

Sciencons AS
Patent Owner

Post Grant Review No.: PGR2025-00040

**PETITIONER'S OBJECTIONS TO PATENT OWNER'S EVIDENCE
PURSUANT TO 37 C.F.R. § 42.64(b)(1)**

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner AdvanCell Pty Ltd. (“Petitioner”) objects under the Federal Rules of Evidence (“F.R.E.”) to the admissibility of Exhibit 2002, which Patent Owner filed with its Patent Owner Response.

Petitioner timely objects under 37 C.F.R. § 42.64(b)(1) within the allowed five business days of the service of the evidence.

I. EXHIBIT 2002 – DECLARATION OF MR. CRAIG CONROY

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).

Petitioner objects to Exhibit 2002 because Mr. Conroy is not qualified to be a POSITA. Additionally, there has not been an adequate showing that Mr. Conroy’s testimony is based on sufficient facts or data, is the product of reliable principles or methods, or that the testimony will help the Board understand the evidence or determine a fact in issue. Therefore, Exhibit 2002 is inadmissible and improper under F.R.E. 702 and F.R.E. 703.

Mr. Conroy fails to provide a reasoned basis or other foundation for his opinions. Moreover, Mr. Conroy’s opinions are not the product of reliable principles and methods. To the extent exhibit 2002 is deemed relevant, its

admission would be unduly prejudicial, misleading, and a waste of time. F.R.E. 401-403. Exhibit 2002 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.

Date: February 10, 2026

Respectfully submitted,

/s/ Jennifer Librach Nall

Jennifer Librach Nall

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**Attorney for Petitioner, AdvanCell
Isotopes Pty Ltd**

CERTIFICATE OF SERVICE

The undersigned certifies pursuant to 37 C.F.R. §§ 42.6(e) that on February 10, 2026, a true and correct copy of the Petitioner's objections to patent owner's evidence pursuant to 37 C.F.R. § 42.64(b)(1) was served by emailing a copy of same to the following:

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Date: February 10, 2026

/s/ Jennifer Librach Nall
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