

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AdvanCell Pty Ltd.

Petitioner

v.

Sciencons AS and ARTBIO, Inc.,

Patent Owner

Case No. PGR2025-00040

Patent No. 12,249,437

**PETITIONER'S RESPONSE TO PATENT OWNER'S MOTION TO
EXCLUDE EVIDENCE PURSUANT TO 37 C.F.R. § 42.64(c)**

TABLE OF CONTENTS

	Page
I. INTRODUCTION	1
II. THE MOTION IMPROPERLY USES THE RULES OF EVIDENCE TO ATTACK THE WEIGHT AND SUFFICIENCY OF PETITIONER’S EVIDENCE.....	2
III. PO WAIVED ITS UNDEVELOPED F.R.E. 701, 703, AND 802 OBJECTIONS	4
IV. EX1002: DR. MIRZADEH’S DECLARATION SHOULD NOT BE EXCLUDED.....	4
A. PO’s Claim-Construction Criticisms Go to Weight, Not Admissibility	4
B. Alleged Evolution in Petitioner’s Positions Does Not Render the Declaration Inadmissible.....	5
C. Wholesale Exclusion of EX1002 Is Unwarranted	6
D. F.R.E. 403 Does Not Support Exclusion of EX1002.....	6
V. EXHIBIT 1019: MR. HOFF’S DECLARATION SHOULD NOT BE EXCLUDED.....	7
A. Mr. Hoff’s Testimony Satisfies F.R.E. 702	7
B. Paragraphs 31-37 and the Remainder of Mr. Hoff’s Declaration Are Relevant and Not Prejudicial Under F.R.E. 401-403.....	9
VI. EXHIBIT 1024: THE HOME DEPOT WEBPAGE EXHIBIT SHOULD NOT BE EXCLUDED.....	11
A. EX1024 is Sufficiently Identified for the Limited Purpose for which it was Offered	11
B. EX1024 is Relevant to the Ordinary Meaning Issue for Which it Was Offered	12
C. F.R.E. 403 Does Not Support Exclusion of EX1024.....	12
VII. EXHIBIT 1025: THE GATE VALVE EXHIBIT SHOULD NOT BE EXCLUDED.....	13
VIII. PO’S ALTERNATIVE REQUEST UNDER F.R.E. 105 SHOULD BE DENIED.....	15
IX. CONCLUSION.....	15

TABLE OF AUTHORITIES

Page(s)

Other Authorities

37 C.F.R. § 42.23(b)	2, 4
37 C.F.R. § 42.64(c).....	1, 2, 4
37 C.F.R. § 42.65(a).....	3, 9
F.R.E. 105	2, 15
F.R.E. 401-403.....	9
F.R.E. 701, 703, and 802	2, 4
F.R.E. 702	5, 6, 7
F.R.E. 901	1, 2, 11, 13
Fed. R. Civ. P. 26(a).....	9

INDEX OF EXHIBITS

Exhibit No.	Description
1001	U.S. Patent No. 12,249,437.
1002	Declaration of Saed Mirzadeh.
1003	Hassfjell, Sindre P. and Hoff, Per, “A Generator for Production of ^{212}Pb and ^{212}Bi ”, Appl. Radiat. Inst., vol. 45, no. 10, pp 1021-25 (1994) (“ Hassfjell-Hoff ”).
1004	WorldCat Index for Hassfjell-Hoff .
1005	International Publication Number WO 01/60417.
1006	File History of U.S. Patent No. 12,249,437.
1007	U.S. Patent No. 5,038,046 (“ Norman ”).
1008	International Atomic Energy Agency, “Radiotracer Generators for Industrial Applications”, IAEA Radiation Technology Series No. 5, IAEA, Vienna (2013) (“ IAEA ”).
1009	Westrøm, Sara; Generalov, Roman; Bønsdorff, Sara B.; and Larsen, Roy H., “Preparation of ^{212}Pb -labeled monoclonal antibody using a novel ^{224}Ra -based generator solution”, Nuclear Medicine and Biology, vol. 51, pp 1-9 (August 2017) (“ Westrøm ”).
1010	WorldCat Index for Westrøm .
1011	Hassfjell, Sindre, “A ^{212}Pb generator based on a ^{228}Th source”, Appl. Radiat. Isot., vol. 55, no. 4, pp 433-439 (2001) (“ Hassfjell-2001 ”).
1012	U.S. Patent Application Publication No. 2006/0286130 (“ Bhagwatwar ”).
1013	U.S. Patent No. 2,130,523.
1014	WorldCat Index for IAEA .
1015	U.S. Patent No. 6,592,843.
1016	Xanjiao Xie, “Dissolution, Formation, and Transformation of the Lead Corrosion Product PbO_2 : Rates and Mechanisms of Reactions that Control Lead Release in Drinking Water Distribution Systems”, All Theses and Dissertations (ETDs), 387 (January 2010), available at https://openscholarship.wustl.edu/etd/387 (“ Xie ”).
1017	U.S. Patent No. 9,281,089.
1018	U.S. Patent No. 6,932,111 (“ Ishigaki ”).
1019	Declaration of Per Hoff.
1020	WorldCat Index for Xie .
1021	Excerpts of The American Heritage Dictionary of the English Language, 5 th ed. (2016).

Exhibit No.	Description
1022	Declaration of Jennifer Librach Nall
1023	Conroy Deposition Transcript.
1024	Conroy Deposition Exhibit 6, Excerpt of homedepot.com
1025	Conroy Deposition Exhibit 8, Excerpt of VAT website showing VAT Gate Valve
1026	ARTBIO, “ARTBIO and Nucleus RadioPharma Announce Collaboration to Manufacture GMP-Grade Therapeutic Products Containing Radioisotope Pb-212 to Support Emerging Clinical Trials” (May 7, 2024), https://artbio.com/artbio-nucleus-radiopharma-collaboration-manufacture-gmp-grade-therapeutic-products-radioisotope-pb-212-support-emerging-clinical-trials .
1027	Conroy Exhibit 3: Fraiser Kansteiner, “Nucleus RadioPharma Links Up With ARTBIO to Help Produce Prostate Cancer Candidate for Clinical Trials,” Fierce Pharma (May 7, 2024), https://www.fiercepharma.com/pharma/nuclear-medicine-cdmo-nucleus-links-artbio-help-produce-prostate-cancer-radiotherapy .
1028	Conroy Exhibit 4: ARTBIO, “ARTBIO and Nucleus RadioPharma Announce Collaboration to Manufacture GMP-Grade Therapeutic Products Containing Radioisotope Pb-212 to Support Emerging Clinical Trials” (May 7, 2024), https://artbio.com/artbio-nucleus-radiopharma-collaboration-manufacture-gmp-grade-therapeutic-products-radioisotope-pb-212-support-emerging-clinical-trials .
1029	National Library of Medicine, “Study of Alpha Radioligand Therapy AB001 in Patients With Metastatic Castration Resistant Prostate Cancer (mCRPC) (ARTISAN)” (last updated Apr. 7, 2026), https://clinicaltrials.gov/study/NCT07214961
1030	ARTBIO, “ARTBIO Announces Dosing of Two Cohorts with AB001 in ARTISAN, a Phase 1 Alpha Radioligand Therapy Clinical Trial for Metastatic Castration Resistant Prostate Cancer” (Jan. 12, 2026), https://artbio.com/ARTBIO-Announces-dosing-of-Two-Cohorts-with-AB001
1031	Declaration of Jennifer Librach Nall Dated May 14, 2026
1032	May 14, 2026 Email to POs’ Counsel Serving Declaration of Jennifer Librach Nall Dated May 14, 2026

I. INTRODUCTION

PO's Motion to Exclude ("Motion") should be denied in its entirety. The Motion seeks exclusion of EX1002, EX1017¹, EX1024, and EX1025 under 37 C.F.R. § 42.64(c). Paper 27, 1. But PO's arguments challenge the weight, sufficiency, or persuasive value of Petitioner's evidence, not its admissibility. Paper 27, 1-9; Consolidated Trial Practice Guide ("TPG"), 79. PO's attacks on Dr. Mirzadeh's claim-construction testimony and Mr. Hoff's testimony are thinly disguised criticisms of the merits of that testimony rather than proper evidentiary challenge. They ask the Board to decide whether those opinions are persuasive in view of the full record, which is a merits and weight inquiry rather than a basis for exclusion. Paper 27, 1-6; TPG, 79.

PO's challenges to EX1024 and EX1025 fare no better. PO objects that EX1024 allegedly has not been authenticated under F.R.E. 901 and allegedly does not bear on the ordinary meaning of "seal," and objects that EX1025 allegedly has not been sufficiently linked to the Hassfjell-Hoff gate valve. Paper 27, 7-9. EX1024 is authenticated by Petitioner's timely-served supporting declaration under

¹ Petitioner notes that Mr. Hoff's declaration in PGR2025-00040 is EX1019 and not EX1017. Petitioner correctly refers to Mr. Hoff's declaration as EX1019 throughout the rest of the Opposition.

F.R.E. 901 and is informative as to the plain and ordinary meaning of seal; Mr. Conroy's deposition testimony confirms that EX1025 is representative of a gate valve and useful to understanding the gate-valve structure at issue. EX1031, ¶5; EX1032; EX1023, 168:8-15, 169:14-19, 171:24-174:20, 175:8-176:8. PO's criticisms therefore go at most to what weight the Board should assign the exhibits for the limited purposes for which they were offered, not their admissibility.

The Motion also includes objections under F.R.E. 701, 703, and 802 as to EX1002 and EX1019, but develops no argument under those rules. Paper 27, 1, 4. PO has therefore waived those objections, and any belated effort to develop them in reply should be disregarded. 37 C.F.R. §§ 42.23(b), 42.64(c); TPG, 74, 79.

Finally, PO's alternative request that the Board "restrict" the evidence and give it "no weight" under F.R.E. 105 is misplaced. Paper 27 at 9. F.R.E. 105 concerns limiting instructions and provides no basis to direct the Board, in this bench proceeding, to disregard admissible evidence. F.R.E. 105; TPG, 35.

II. THE MOTION IMPROPERLY USES THE RULES OF EVIDENCE TO ATTACK THE WEIGHT AND SUFFICIENCY OF PETITIONER'S EVIDENCE

Every argument in the Motion is a merits argument dressed up as an evidentiary objection. PO contends that Dr. Mirzadeh applied an incorrect claim-construction analysis, that Mr. Hoff's opinions are "conclusory," and that certain evidence is not "relevant" to the grounds advanced in the Petition. Paper 27 at 1-9.

Although PO casts these contentions as challenges to admissibility, each one in substance disputes how much weight the testimony or evidence should receive and whether Petitioner has carried its burden on the challenged claims. TPG, 79.

As the TPG provides, arguments of this kind belong in the parties' merits briefing, not in a motion to exclude. The TPG explains that "[a] motion to exclude must explain why the evidence is not admissible (e.g., relevance or hearsay) but may not be used to challenge the sufficiency of the evidence to prove a particular fact," and that "[a] motion to exclude is not a vehicle for addressing the weight to be given evidence—arguments regarding weight should appear only in the merits documents." TPG, 79. The TPG further confirms that "[t]he Board has broad discretion to assign weight to be accorded expert testimony," and that expert testimony that does not disclose sufficient underlying facts or data is entitled to little or no weight under 37 C.F.R. § 42.65(a), not exclusion. TPG, 35.

To the extent PO believes that Dr. Mirzadeh's or Mr. Hoff's testimony is insufficiently supported or unpersuasive, the proper course is to argue for reduced weight in the merits papers, not to seek exclusion. TPG, 79. The same is true of PO's F.R.E. 403 arguments: this is a bench proceeding before technically trained administrative patent judges, not a jury trial, and the Board can determine the probative value of the evidence, consider any limitations PO identifies, and assign appropriate weight without excluding the evidence based on supposed jury-style

prejudice or confusion. Accordingly, the Motion should be denied.

III. PO WAIVED ITS UNDEVELOPED F.R.E. 701, 703, AND 802 OBJECTIONS

Although PO's objections purport to challenge both EX1002 and EX1019 under F.R.E. 701, 703, and 802, the Motion advances no argument under those rules. Paper 27, 1, 4. A movant must do more than list rule numbers in its objections; it must explain, with particularity, why the challenged evidence is inadmissible under each rule invoked. 37 C.F.R. § 42.64(c); TPG, 79.

By failing to develop any argument under F.R.E. 701, 703, or 802, PO has waived those objections, and the Board should not consider them. Any belated attempt to resurrect these objections in reply would be improper and should be disregarded. 37 C.F.R. § 42.23(b); TPG, 74.

IV. EX1002: DR. MIRZADEH'S DECLARATION SHOULD NOT BE EXCLUDED

A. PO's Claim-Construction Criticisms Go to Weight, Not Admissibility

PO seeks to exclude Dr. Mirzadeh's declaration based on its attacks of his claim-construction analysis for limitation 1c. Paper 27, 1-5. PO argues that Dr. Mirzadeh described "three possible constructions," allegedly failed to identify which construction a POSITA would understand to be correct, allegedly imported new language and arbitrary limitations, and allegedly contradicted himself in describing those constructions. Paper 27, 2-4; EX1002, ¶¶36-38. In addition to

being incorrect criticisms, those assertions are claim-construction and merits arguments, not admissibility objections. TPG, 79. They do not show that the testimony is categorically inadmissible or that the entire declaration should be excluded. TPG, 35, 79. If the Board determines that any portion of Dr. Mirzadeh's claim-construction testimony is unsupported or unpersuasive, the appropriate course is to assign that testimony appropriate weight, not to exclude it under F.R.E. 702. F.R.E. 702; TPG, 35, 79.

PO's cited authorities do not require a different result. Those cases involved expert testimony evaluated against an incorrect claim-construction premise and do not hold that alleged weaknesses in an expert's claim-construction analysis require exclusion of the expert's entire declaration in a PTAB proceeding. At most, they support giving reduced or no weight to testimony that the Board determines rests on an incorrect construction, which is a weight determination, not a reason to strike the declaration wholesale.

B. Alleged Evolution in Petitioner's Positions Does Not Render the Declaration Inadmissible

PO argues that Petitioner has allegedly evolved or revised its positions and that Dr. Mirzadeh's original claim-construction testimony is therefore irrelevant or prejudicial. Paper 27, 3-4. But the Reply does not abandon Dr. Mirzadeh's claim-construction opinions. It continues to defend the Petition's first and third constructions of limitation 1c, expressly argues that those constructions are

supported, and explains that PO's criticism of the "selectively" language in the Petition's third construction is "without merit." Paper 20, 1-3, 10-12.

The Board can consider Dr. Mirzadeh's declaration for the issues on which it remains relevant and give appropriate weight to any testimony PO contends has been narrowed, clarified, or superseded by later briefing. TPG, 35. Exclusion is not the proper remedy for PO's disagreement with how Petitioner's positions developed during the proceeding.

C. Wholesale Exclusion of EX1002 Is Unwarranted

PO's request to exclude the entire Mirzadeh Declaration is especially overbroad. PO argues that Dr. Mirzadeh's claim-construction opinions regarding limitation 1c allegedly underpin the remainder of his declaration and therefore seeks exclusion of the declaration as a whole. Paper 27 at 4. This remedy is disproportionate. Even if PO had identified an issue with a discrete claim-construction opinion, that would not justify exclusion of all testimony in EX1002. The Board can consider any asserted limitation in Dr. Mirzadeh's reasoning when assigning weight to particular opinions. TPG, 35. PO's request for wholesale exclusion should be denied.

D. F.R.E. 403 Does Not Support Exclusion of EX1002

PO's F.R.E. 403 argument fails for the same reason its F.R.E. 702 argument fails: it asks the Board to convert a merits disagreement into an evidentiary

exclusion. Paper 27 at 4. PO contends that Dr. Mirzadeh's opinions would be prejudicial or confusing because they allegedly conflict with PO's view of the claim-construction record. Paper 27 at 3-4; F.R.E. 403.

There is no jury here to confuse or mislead. This proceeding is before the Board, which can determine what portions of EX1002 are relevant and what weight those portions deserve. TPG, 35. PO has not shown that any risk of unfair prejudice or confusion substantially outweighs the probative value of the evidence in this PTAB proceeding. F.R.E. 403.

V. EXHIBIT 1019: MR. HOFF'S DECLARATION SHOULD NOT BE EXCLUDED

A. Mr. Hoff's Testimony Satisfies F.R.E. 702

PO's assertion that paragraphs 38-72 of Mr. Hoff's declaration are "textbook illustrations of improper conclusory testimony" is inaccurate and, more fundamentally, does not state a basis for exclusion under F.R.E. 702. Paper 27 at 5-6. PO cherry-picks isolated summary sentences, such as "In my opinion, Hassfjell-Hoff discloses this claim," while ignoring the surrounding analysis and the declaration as a whole. Paper 27 at 5.

Mr. Hoff's declaration must be evaluated in its entirety and in the context of the record, including the Hassfjell-Hoff article (EX1003) it analyzes. EX1019, ¶¶29-72. Read that way, his opinions are supported by his first-hand technical expertise and by the disclosures of the reference. EX1019 ¶¶29, 31-72. Mr. Hoff is

not merely an expert witness; he is one of the authors of the Hassfjell-Hoff article. EX1019 ¶29. His declaration supplies substantive reasoning tied to the disclosures of the reference. Mr. Hoff explains that Hassfjell-Hoff discloses a generator with two compartments connected by a gate valve, a tube sliding on two O-rings, and a polyethylene bottle placed inside the collection chamber (EX1019, ¶32); the disclosed operating sequence for lowering and raising the tube, opening and closing the gate valve, and collecting ^{212}Pb in the polyethylene bottle (EX1019, ¶36); and the system's gas-tight seals, including the O-rings and the gate valve, such that "no detectable leakage of any kind of radioactivity out of the generator has been observed" (EX1019, ¶37). Several of the claim-by-claim paragraphs likewise add explanation and record support beyond the summary sentence, including the chelator and washing-solution disclosures (EX1019, ¶46, ¶56) and the water-solvent disclosure for dissolving ^{212}Pb from the inside of the polyethylene bottle (EX1019 ¶47, ¶57). Read together with the overview paragraphs and the article they analyze, the claim-by-claim opinions are supported rather than conclusory.

In any event, the degree to which an expert articulates his reasoning goes to the weight of his testimony, not its admissibility. The authorities PO cites, *Innogenetics* and *Meyer*, do not support PO's position. Both arose in the district-court jury trial context and addressed the sufficiency of expert reports under Fed.

R. Civ. P. 26(a) and their helpfulness to a lay jury, not threshold admissibility before an expert administrative tribunal.

If PO believes Mr. Hoff's opinions lack adequate explanation, the proper course is to argue for reduced weight in its merits papers, not wholesale exclusion from the record. The TPG makes clear that "[t]he Board has broad discretion to assign weight to be accorded expert testimony," and that expert testimony lacking a sufficient factual basis "is entitled to little or no weight" under 37 C.F.R. § 42.65(a). TPG, 35. The Board should exercise that discretion here rather than granting the extraordinary remedy of exclusion.

B. Paragraphs 31-37 and the Remainder of Mr. Hoff's Declaration Are Relevant and Not Prejudicial Under F.R.E. 401-403

PO's relevance challenge to paragraphs 31-37, which describe how the device in Mr. Hoff's article actually worked, should be rejected. Paper 27 at 6. Mr. Hoff is a technical expert with direct, personal knowledge of the Hassfjell-Hoff work. EX1019, ¶29, ¶31. His description of how the device functioned, including the device construction, operating sequence, and gas-tight seals, bears directly on whether the claimed functionality was disclosed or obvious to a POSITA at the relevant time.

This testimony is plainly relevant under the low bar of F.R.E. 401 and probative of the disclosures and capabilities underlying Petitioner's grounds. It does not inject a "new theory;" it provides admissible technical context

illuminating the very reference on which Petitioner's grounds rest. The TPG confirms that expert testimony properly may be used to "explain the relevant technology to the panel," "establish the level of skill in the art," and describe "the teachings of the prior art and how they relate to the patentability of the challenged claims." See TPG, 34-35.

PO's F.R.E. 403 argument fails for the same reason it fails with respect to EX1002: this is a bench proceeding before technically trained administrative patent judges. There is no jury to confuse and no risk of unfair prejudice before the Board. F.R.E. 403; TPG, 35. The Board can determine which portions of Mr. Hoff's testimony are pertinent to the issues presented and accord them appropriate weight.

PO's complaint that the "remainder" of the declaration "describes background and legal standards" that Mr. Hoff purportedly did not apply is likewise not a ground for exclusion. Background, foundational, and contextual testimony is routinely admitted in Board proceedings. TPG, 34-35 (expert testimony may be used to "explain the relevant technology to the panel" and "establish the level of skill in the art"). Questions about how much of that context bears on the disputed issues go to weight, not admissibility.

VI. EXHIBIT 1024: THE HOME DEPOT WEBPAGE EXHIBIT SHOULD NOT BE EXCLUDED

A. EX1024 is Sufficiently Identified for the Limited Purpose for which it was Offered

EX1024 is authenticated and relevant. Petitioner submitted a declaration authenticating EX1024 under F.R.E. 901. EX1031, ¶3; EX1032; F.R.E. 901. PO therefore cannot exclude EX1024 on authentication grounds. F.R.E. 901.

PO seeks exclusion of EX1024 under F.R.E. 901, arguing that it appears to be a printout of part of a Home Depot webpage, that it shows a list under the heading “Inspired by Your Recent Views,” and that Petitioner allegedly did not provide testimony explaining which recent webpage views generated the page. Paper 27 at 7-8. PO’s argument overstates what is required for the Board to consider the exhibit for the limited purpose for which Petitioner offered it. EX1024 is offered for what it shows on its face: an example of the ordinary use of the word “seal” to refer to common products known as seals. Reply at 3; F.R.E. 401. PO does not contend that the image fails to show the words and products appearing on the exhibit; instead, PO argues that Petitioner did not prove how the recommendation list was generated. That argument goes to the weight and limited use of EX1024, not exclusion. PO’s authentication objection also rests on a premise that is immaterial to the use of EX1024. Petitioner need not prove which browsing history generated the “Inspired by Your Recent Views” portion of the

page for the exhibit to be relevant to ordinary usage of the word “seal.” Any concern about the source or generation of the webpage can be addressed by assigning the exhibit appropriate weight.

B. EX1024 is Relevant to the Ordinary Meaning Issue for Which it Was Offered

PO also argues that EX1024 is irrelevant because it was cited for the plain and ordinary meaning of “seal” and because Petitioner allegedly did not show that the exhibit was prior art or would have informed a POSITA’s understanding. Paper 27 at 7-8. But PO’s argument applies too demanding a relevance standard.

EX1024 need not be prior art to have relevance to ordinary usage. The exhibit was cited as evidence bearing on the plain and ordinary meaning of the word “seal,” not as an anticipatory or obviousness reference. Evidence having any tendency to inform the ordinary use or context of a disputed term is relevant under F.R.E. 401, and disputes over how much that evidence should matter go to weight not admissibility.

PO’s argument that no witness testified that a POSITA would rely on EX1024 likewise does not require exclusion. Paper 27 at 7-8. Again, the Board can consider the limited purpose for which the exhibit was offered and assign it appropriate weight in view of the full claim-construction record. TPG, 35.

C. F.R.E. 403 Does Not Support Exclusion of EX1024

PO contends that EX1024’s probative value is minimal and substantially

outweighed by unfair prejudice and confusion of the issues. Paper 27 at 8. That argument similarly fails. The Board can readily understand the limited purpose for which EX1024 was offered and can decide how much weight, if any, to give it. There is no risk of jury confusion in this PTAB proceeding. Any limitation PO identifies in EX1024's provenance or probative value can be addressed through weight rather than exclusion. TPG, 79.

VII. EXHIBIT 1025: THE GATE VALVE EXHIBIT SHOULD NOT BE EXCLUDED

EX1025 is authenticated and relevant. Petitioner submitted a declaration authenticating EX1025 under F.R.E. 901. EX1031, ¶5; EX1032; F.R.E. 901. PO therefore cannot exclude EX1025 on authentication grounds. F.R.E. 901.

EX1025 is also relevant under F.R.E. 401 and 402. PO argues that Petitioner relied on EX1025 as purportedly depicting the appearance of Hassfjell-Hoff's gate valve and that Petitioner allegedly provided no evidence linking EX1025 to the gate valve shown in Hassfjell-Hoff. Paper 27 at 8-9. But at deposition, Mr. Conroy admitted that what is shown in EX1025 is representative of a gate valve. EX1023, 168:8-15, 169:14-19. Mr. Conroy also demonstrated his understanding of how the gate valve shown in EX1025 can be opened and closed by manipulating the handle in a manner similar to the gate valve in Hassfjell-Hoff. EX1023, 171:24-174:20. And Mr. Conroy acknowledged that the cylindrical portion of the gate valve of EX1025 is "potentially" similar to the gate valve in Hassfjell-Hoff. EX1023,

175:8-176:8; F.R.E. 401, 402.

EX1025 shows representative gate valve details, including parts of the interior cylindrical portion, that are not visible in the figure showing the gate valve in Hassfjell-Hoff. That evidence is relevant and useful to the finder of fact in evaluating the extent to which the gate valve, including the interior surface of the cylindrical portion, defines part of the sealed volume of the Hassfjell-Hoff generator of EX1003, as discussed in Petitioner's Reply at 17. Reply at 17; EX1003; EX1025. Evidence having any tendency to make a consequential fact more or less probable satisfies F.R.E. 401, and EX1025 therefore passes muster under F.R.E. 401 and 402.

PO's reliance on Mr. Conroy's testimony that EX1025 is "clearly not the gate valve in Figure 3" and that the item depicted in EX1025 looked "very dissimilar" from the gate valve shown in Hassfjell-Hoff Figure 3 does not require exclusion. Paper 27 at 8-9 (citing EX1023, 166:18-168:1). That testimony gives the Board additional context for evaluating what EX1025 does and does not show, while the testimony above confirms that EX1025 is at least representative of a gate valve and useful to understanding gate-valve operation and structure. EX1023, 168:8-15, 169:14-19, 171:24-174:20, 175:8-176:8; TPG, 35, 79.

Nor can PO satisfy its burden under F.R.E. 403. The Board is fully capable of evaluating this evidence and according it appropriate weight, and there is little

danger of unfair prejudice in this PTAB proceeding. PO cannot establish that the probative value of EX1025 is substantially outweighed by the danger of unfair prejudice. EX1025 should therefore not be excluded.

VIII. PO'S ALTERNATIVE REQUEST UNDER F.R.E. 105 SHOULD BE DENIED

PO's fallback request that the challenged evidence be "restricted and given no weight" under F.R.E. 105 should likewise be denied. Paper 27 at 9. F.R.E. 105 provides for limiting instructions regarding evidence admissible for one purpose but not another. It has no application in a bench proceeding before the PTAB and provides no basis for directing the Board to disregard admissible evidence. TPG, 35; F.R.E. 105. The weight to be given EX1002, EX1019, EX1024, and EX1025 is committed to the Board's sound discretion as factfinder, to be exercised on the full record after consideration of the parties' merits arguments, not preordained through a motion to exclude. See TPG, 35 ("[t]he Board has broad discretion to assign weight to be accorded expert testimony."). PO's invocation of F.R.E. 105 is yet another attempt to relitigate the merits in the guise of an evidentiary motion. It should be denied for the same reasons the Motion as a whole should be denied.

IX. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that PO's Motion to Exclude be denied in its entirety.

Dated: July 7, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies pursuant to 37 C.F.R. §§ 42.6(e) that on July 7, 2026, a true and correct copy of **PETITIONER’S RESPONSE TO PATENT OWNER’S MOTION TO EXCLUDE EVIDENCE PURSUANT TO 37 C.F.R. § 42.64(c)** and EX1031 – EX1032 were served was served by electronic mail to the attorneys of record, at the following addresses:

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