

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WHOOP, INC.

Petitioner,

v.

OMNI MEDSCI, INC.,

Patent Owner.

Patent No. 12,193,790

Case No. PGR2026-00003

PATENT OWNER'S OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner hereby submits objections to evidence served by Petitioner with the Petition (Paper 1) and its Opposition to Patent Owner's Discretionary Denial Brief (Paper 7). Patent Owner's objections are due within ten business days of institution, i.e., by April 15, 2026. *See* 37 C.F.R. § 42.64(b)(1); Paper 10. Thus, Patent Owner's evidence objections are timely. As set forth herein, Patent Owner identifies the evidence objected to and summarizes the objections, including the Federal Rules of Evidence ("FRE" or "FED. R. EVID.") or other rules that form the basis for the objections.

I. Ex. 1003 – Declaration of Patrick Mercier

Patent Owner objects to Ex. 1003 to the extent it incorporates or otherwise references any exhibits Patent Owner has objected to as inadmissible evidence herein.

Patent Owner objects to Ex. 1003 as hearsay being offered for a hearsay purpose and to which no valid exception applies. FED. R. EVID. 801-807, 901-902. Patent Owner also objects to Ex. 1003 as lacking foundation, assuming facts not in evidence, containing testimony on matters as to which the witness lacks personal knowledge and as being conclusory. Ex. 1003 is objected to under FRE 702 for failing to demonstrate that the declarant is qualified as an expert in the relevant subject matter. Ex. 1003 is further objected to under FRE 702(b)-(d) as failing to be based upon sufficient facts or data, as the product of unreliable principles and

methods and for failing to reliably apply sound principles and methods to the facts of the case. Ex. 1003 is further objected because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

Patent Owner objects to Appendix B of Ex. 1003 because it does not comply with the Board's rules governing the form of evidence. 37 C.F.R. § 42.63. Combined documents are not permitted. 37 C.F.R. § 42.63(d); 37 C.F.R. § 42.63(a)(3).

II. Ex. 1004 – U.S. Patent No. 9,651,533

Patent Owner objects to Ex. 1004 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

III. Ex. 1005 – U.S. Patent No. 10,517,484

Patent Owner objects to Ex. 1005 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

IV. EX. 1006 – Docket Sheet from No. 1:25-cv-00140 (D. Del.)

Patent Owner objects to Ex. 1006 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

V. EX. 1007 – Docket Sheet from No. 2:24-cv-01070 (E.D. Tex.)

Patent Owner objects to Ex. 1007 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

VI. Ex. 1008 – Final Written Decision from IPR2019-00916

Patent Owner objects to Ex. 1008 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

VII. EX. 1009 – 2022 WL 2062168

Patent Owner objects to Ex. 1009 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

VIII. Ex. 1010 – Patent Owner's Notice of Appeal from IPR2021-00453

Patent Owner objects to Ex. 1010 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1010 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1010 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

IX. Ex. 1011 – First Final Written Decision from IPR2021-00453

Patent Owner objects to Ex. 1011 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

X. Ex. 1012 – 2024 WL 3084509

Patent Owner objects to Ex. 1012 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XI. Ex. 1013 – Second Final Written Decision from IPR2021-00453

Patent Owner objects to Ex. 1013 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XII. EX. 1014 – Docket Sheet from No. 25-1646 (Fed. Cir.)

Patent Owner objects to Ex. 1014 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XIII. Ex. 1015 – Petition from IPR2019-00916

Patent Owner objects to Ex. 1015 as hearsay being offered for a hearsay purpose and to which no valid exception applies. FED. R. EVID. 801-807, 901-902.

Patent Owner objects to Ex. 1015 as not authenticated. FED. R. EVID. 901-902.

Petitioner provides no authenticating declaration explaining what Ex. 1015 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1015 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XIV. Ex. 1016 – Patent Owner's Preliminary Response from IPR2019-00916

Patent Owner objects to Ex. 1016 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1016 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1016 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XV. Ex. 1017 – Institution Decision from IPR2019-00916

Patent Owner objects to Ex. 1017 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XVI. Ex. 1021 – Petition from IPR2021-00453

Patent Owner objects to Ex. 1021 as hearsay being offered for a hearsay purpose and to which no valid exception applies. FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1021 as not authenticated. FED. R. EVID. 901-902.

Petitioner provides no authenticating declaration explaining what Ex. 1021 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1021 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XVII. Ex. 1023 – Institution Decision from IPR2021-00453

Patent Owner objects to Ex. 1023 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XVIII. Ex. 1024 – Patent Owner's Preliminary Response from IPR2021-00453

Patent Owner objects to Ex. 1024 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1024 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1024 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XIX. Ex. 1033 – Biomedical Engineering Handbook

Patent Owner objects to Ex. 1033 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-

902. Patent Owner objects to Ex. 1033 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Patent Owner objects to Ex. 1033 under FRE 106 because Ex. 1033 contains only excerpts of the writing; the remaining portions of Ex. 1033 in fairness ought to be considered at the same time as the excerpted portions. FED. R. EVID. 106. Patent Owner further objects to Ex. 1033 because Petitioner has not established that it qualifies as prior art.

XX. Ex. 1034 – A review of wearable sensors and systems with application rehabilitation

Patent Owner objects to Ex. 1034 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1034 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Patent Owner further objects to Ex. 1034 because Petitioner has not established that it qualifies as prior art.

XXI. Ex. 1035 – Bluetooth Low Energy

Patent Owner objects to Ex. 1035 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-

902. Patent Owner objects to Ex. 1035 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Patent Owner further objects to Ex. 1035 because Petitioner has not established that it qualifies as prior art.

XXII.Ex. 1036 – Strategic Intelligence Monitor on Personal Health Systems

Patent Owner objects to Ex. 1036 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1036 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Patent Owner further objects to Ex. 1036 because Petitioner has not established that it qualifies as prior art.

XXIII. Ex. 1037 – The mobile fitness coach

Patent Owner objects to Ex. 1037 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1037 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Patent Owner further objects to Ex. 1037 because Petitioner has not established that it qualifies as

prior art.

XXIV. Ex. 1038 – The Internet of Things

Patent Owner objects to Ex. 1038 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1038 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Patent Owner further objects to Ex. 1038 because Petitioner has not established that it qualifies as prior art.

XXV. Ex. 1040 – The Usage of Tablets in the HealthCare Industry

Patent Owner objects to Ex. 1040 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1040 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1040 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1040 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Patent Owner further objects to Ex. 1040 because Petitioner has not established that it qualifies as prior art.

XXVI. EX. 1043 – Docket Sheet from No. 4:19-cv-05924 (N.D. Cal.)

Patent Owner objects to Ex. 1043 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XXVII. Ex. 1045 – Design of Pulse Oximeters

Patent Owner objects to Ex. 1045 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1045 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1045 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1045 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1045 is not cited in the Petition. Patent Owner further objects to Ex. 1045 because Petitioner has not established that it qualifies as prior art.

XXVIII. Ex. 1050 – Petition from IPR2025-01250

Patent Owner objects to Ex. 1050 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1050 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1050 is,

how it was acquired, or how it was made. Patent Owner objects to Ex. 1050 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XXIX. Ex. 1051 – Petition from IPR2025-01251

Patent Owner objects to Ex. 1051 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1051 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1051 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1051 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XXX. Ex. 1052 – Petition from IPR2025-01252

Patent Owner objects to Ex. 1052 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1052 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1052 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1052 because it is not sufficiently relevant, and any relevance is outweighed by the risks of

confusion, substantial danger of unfair prejudice, and/or misleading the fact finder.

FED. R. EVID. 401-403.

XXXI. Ex. 1053 – Petition from IPR2025-01253

Patent Owner objects to Ex. 1053 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1053 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1053 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1053 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XXXII. Ex. 1054 – Petition from PGR2025-00064

Patent Owner objects to Ex. 1054 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1054 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1054 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1054 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XXXIII. Ex. 1055 – Petition from IPR2025-01254

Patent Owner objects to Ex. 1055 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1055 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1055 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1055 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XXXIV. Ex. 1056 – Petition from PGR2025-00063

Patent Owner objects to Ex. 1056 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1056 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1056 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1056 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XXXV. Ex. 1057 – U.S. Patent No. 10,874,304

Patent Owner objects to Ex. 1057 because it is not sufficiently relevant, and

any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XXXVI. Ex. 1058 – U.S. Patent No. 11,160,455

Patent Owner objects to Ex. 1058 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1058 is not cited in the Petition.

XXXVII. Ex. 1060 – U.S. Patent No. 12,268,475

Patent Owner objects to Ex. 1060 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XXXVIII. EX. 1061 – Omni's Corrected Opening Brief from No. 25-1646 (Fed. Cir.)

Patent Owner objects to Ex. 1061 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XXXIX. Ex. 1063 – Infringement Contentions from No. 2:24-cv-01070 (E.D. Tex.)

Patent Owner objects to Ex. 1063 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1063 because it is not sufficiently relevant, and

any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XL. Ex. 1064 – Samsung's Petition Ranking and Explanation of Parallel Petitions from PGR2025-00064

Patent Owner objects to Ex. 1064 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1064 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1064 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1064 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XLI. Ex. 1065 –A new generation of sensors for non-invasive blood glucose monitoring

Patent Owner objects to Ex. 1065 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1065 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1065 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1065 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder.

FED. R. EVID. 401-403. Patent Owner further objects to Ex. 1065 because Petitioner has not established that it qualifies as prior art.

XLII. Ex. 1066 – Petition from IPR2025-01583

Patent Owner objects to Ex. 1066 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1066 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1066 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1066 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XLIII. Ex. 1067 – Petition from IPR2025-01584

Patent Owner objects to Ex. 1067 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1067 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1067 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1067 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XLIV. Ex. 1068 – Petition from IPR2025-01585

Patent Owner objects to Ex. 1068 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1068 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1068 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1068 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XLV. EX. 1069 – Claim Chart of Amended Complaint from No. 1:25-cv-00140 (D. Del.)

Patent Owner objects to Ex. 1069 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XLVI. EX. 1075 – Order Denying WHOOP's Mot. to Stay Without Prejudice from No. 1:25-cv-00140 (D. Del.)

Patent Owner objects to Ex. 1075 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1075 is not cited in the Petition.

XLVII. EX. 1076 – Scheduling Order from No. 1:25-cv-00140 (D. Del.)

Patent Owner objects to Ex. 1076 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1076 is not cited in the Petition.

XLVIII. EX. 1077 – Stipulation re Invalidity for the '790 Patent from No. 1:25-cv-00140 (D. Del.)

Patent Owner objects to Ex. 1077 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1077 is not cited in the Petition.

XLIX. Ex. 1078 – Omni's POPR from PGR2025-00064

Patent Owner objects to Ex. 1078 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1078 as not authenticated. FED. R. EVID. 901-902. Petitioner provides no authenticating declaration explaining what Ex. 1078 is, how it was acquired, or how it was made. Patent Owner objects to Ex. 1078 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1078 is not cited in the Petition.

Patent No. 12,193,790
IPR2026-00003

Patent Owner's Objections to Evidence

Respectfully submitted,

Dated: April 15, 2026

By: /s/ Jennifer Hayes

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Lead Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Patent Owner's Objections to Evidence** was served on April 15, 2026, by email:

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Counsel for Petitioner

By: /s/ Jennifer Hayes

Lead Counsel for Patent Owner