

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ASCENDIS PHARMA A/S,
Petitioner,

v.

BIOMARIN PHARMACEUTICAL INC.,
Patent Owner.

Case PGR2026-00013
Patent No. 12,233,106 B2

**PATENT OWNER'S OBJECTIONS
TO EVIDENCE PURSUANT TO 37 C.F.R. § 42.64**

Pursuant to 37 C.F.R. § 42.64, Patent Owner submits the following objections to evidence served with the Petition (Paper 1). Patent Owner's objections apply equally to Petitioner's reliance on these exhibits in any subsequently filed documents. These objections are timely, having been filed within ten business days of the Institution Decision (May 6, 2026).

Exhibit 1003

Patent Owner objects to Exhibit 1003 as misleading, incomplete, and lacking relevance and because any probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, misleading the fact finder, undue delay, wasting time, and/or needlessly presenting cumulative evidence. *See* Fed. R. Evid. 106, 401, 402, and 403. Moreover, Patent Owner objects to Exhibit 1003 to the extent it relies on Exhibits 1005-1024, 1025-1033, 1035-1055, 1058, 1059, 1061-1063 for the truth of the matter asserted therein.

Exhibits 1005-1024, 1025-1033, 1035-1055, 1058, 1059, 1061-1063

Patent Owner objects to these exhibits under FRE 802 to the extent Petitioner and/or Dr. Abbuzahab rely on them to prove the truth of the matter asserted.

Dated: May 20, 2026

Respectfully submitted,

By: /Naveen Modi/
Naveen Modi
Reg. No. 46,224

CERTIFICATE OF SERVICE

I certify that I caused to be served on the counsel identified below a true and correct copy of the foregoing Patent Owner's Objections to Evidence Pursuant to 37 C.F.R. § 42.64 by electronic means on May 20, 2026:

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