

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PANTIES PLUS, INC.,
Petitioner,

v.

BRAGEL INTERNATIONAL, INC.,
Patent Owner

Case No. **IPR2017-00044**
Patent No. **7,144,296**

PATENT OWNER'S OBJECTIONS TO EVIDENCE FILED APRIL 19, 2017

Patent Owner hereby files the following objections to Exhibits 3001 and 3002, filed by the Board on April 19, 2017, pursuant to 37 C.F.R. §42.64.

Exhibit 3001: Patent Owner objects to Exhibit 3001 as irrelevant (FRE 401-403). Patent Owner respectfully submits that Exhibit 3001, which reflects the Federal Circuit's remand to the District Court in the two related litigation matters (Case No. 8:15-cv-01756-R-FFM and Case No. 2:15-cv-08364-R-FFM), does not address the merits of the District Court's findings of fact and conclusions of law, other than to hold that those findings of fact and conclusions of law were not sufficiently detailed to allow an appellate review of the grant of a preliminary injunction. *See* Ex. 3001 at 4-5.

Exhibit 3002: Patent owner objects to Exhibit 3002 as irrelevant (FRE 401-403). Patent Owner respectfully submits that Exhibit 3002 is a Federal Circuit decision relating to a distinct case, and is not relevant evidence to this matter.

DATED: April 26, 2017

Respectfully submitted,
LEWIS ROCA ROTHGERBER CHRISTIE LLP

By /Thomas J. Daly/

Thomas J. Daly
Reg. No. 32,213

Lead Counsel for Petitioner
Bragel International, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2017, a copy of this PATENT OWNER'S OBJECTIONS TO EVIDENCE FILED APRIL 19, 2017, was served via email on the following correspondence address of record for Petitioner, pursuant to 37 C.F.R. § 42.6(e):

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