

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

THORNE RESEARCH, INC.,
Petitioner,

v.

TRUSTEES OF DARTMOUTH COLLEGE,
Patent Owner.

Case IPR2021-00268

Patent 8,383,086

**PATENT OWNER'S OBJECTIONS TO
PETITIONER'S EVIDENCE**

Patent Owner's Objections to Petitioner's Evidence

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner Trustees of Dartmouth College ("Patent Owner") hereby submits the following objections to the admissibility of Thorne Research, Inc.'s ("Petitioner") Second Declaration of Dr. Jaffrey (Ex. 1038), proposed as supplemental information and served on February 22, 2022. Patent Owner's objections are based on the Federal Rules of Evidence and other applicable rules, as set forth with particularity below.

| Petitioner's Evidence | Objections |
|--|---|
| Ex. 1038, Second Declaration of Dr. Jaffrey, M.D., Ph.D. | <p>FRE 401-402 (not relevant)</p> <p>FRE 403 (excluding relevant evidence for prejudice, confusion, waste of time, or other reasons)</p> <p>FRE 602 (lack of foundation)</p> <p>FRE 701 (opinion not based on the witness's perception, not helpful to clearly understanding the witness's testimony or determining a fact in issue, and not based on scientific, technical, or other specialized knowledge)</p> <p>FRE 702-703 (unqualified, unsupported, and unreliable expert testimony)</p> <p>37 C.F.R. § 42.65 (expert testimony that does not disclose the underlying facts or data on which the opinion is based)</p> |

Patent Owner's Objections to Petitioner's Evidence

| Petitioner's Evidence | Objections |
|-----------------------|-----------------------|
| | FRE 801-802 (hearsay) |

Date: February 28, 2022

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certifies that a copy of the foregoing PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE was served on February 28, 2022 by filing this document through the Patent Trial and Appeal Board End to End as well as by delivering a copy via the delivery method indicated to the attorneys of record for the Petitioner as follows:

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