

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ESSELTE CORPORATION, ESSELTE AB, AND ESSELTE LEITZ
GMBH & CO. KG,
Petitioner,

v.

DYMO B.V.B.A.,
Patent Owner.

Case No. 2015-00766
Patent 7,990,567 B2

**PETITIONER'S OBJECTIONS TO EVIDENCE
UNDER 37 C.F.R. § 42.64(B)(1)**

Pursuant to 37 C.P.R. § 42.64(b)(1), Petitioner submits the following objections to evidence submitted by Patent Owner with its Preliminary Patent Owner's Response. These objections are timely presented. *See id.* Petitioner reserves the right to file a motion to exclude the evidence identified herein as improper and any supplemental evidence that Patent Owner may offer in an attempt to correct the noted improprieties. *See id.* § 42.64(b)(1)-(b)(2); *see also* IPR2013-00020, Paper 17 ("When a party objects to evidence that was submitted during a preliminary proceeding, such an objection must be served within ten business days of the institution of trial... If, upon receiving the supplemental evidence, the opposing party is still of the opinion that the evidence is inadmissible, the opposing party may file a motion to exclude such evidence.").

Exhibit	Objection(s)
Exhibit 2001: Declaration of Christine E. Hermann	Relevance (FRE 402): This exhibit is not relevant to any ground upon which trial was instituted.
Exhibit 2002: Esselte Stock Purchase Agreement	Relevance (FRE 402): This exhibit is not relevant to any ground upon which trial was instituted.
Exhibit 2003: Esselte Stock Purchase Agreement (Patent Annexes)	Relevance (FRE 402): This exhibit is not relevant to any ground upon which trial was instituted.

Exhibit 2004: Notice for Motion of Preliminary Injunction	Relevance (FRE 402): This exhibit is not relevant to any ground upon which trial was instituted.
Exhibit 2005: Esselte's Opposition to Plaintiffs' Second Motion for a Preliminary Injunction	Relevance (FRE 402): This exhibit is not relevant to any ground upon which trial was instituted.
Exhibit 2006: Reply in Support of Plaintiffs' Motion to Enjoin Defendants' Participation in <i>Inter Partes</i> Review Actions	Relevance (FRE 402): This exhibit is not relevant to any ground upon which trial was instituted.
Exhibit 2007: Answer and Affirmative Defenses of Defendant Esselte Corporation to Plaintiffs' First Amended Complaint	Relevance (FRE 402): This exhibit is not relevant to any ground upon which trial was instituted.

Respectfully submitted,

/Charles H. Sanders/

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Dated: September 14, 2015

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Petitioner's Objections to Evidence Under 37 C.F.R. § 42.64(B)(1) was served on September 14, 2015 via email, to the Patent Owner by serving the correspondence email addresses of record as follows:

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