

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

IMPERATIVE CARE, INC.,
Petitioner,

v.

INARI MEDICAL, INC.,
Patent Owner.

Case **IPR2025-00728**
Patent No. **11,844,921**

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

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner submits the following objections to Exhibit Nos. 1003 and 1037 which were filed by Petitioner, Imperative Care, Inc., with respect to the Petition for *Inter Partes* Review of U.S. Patent No. 11,844,921. Patent Owner's objections apply equally to Petitioner's reliance on these exhibits in its Petition or any subsequently-filed documents regarding same. These objections are timely, having been served within ten (10) business days of the Board's decision to institute a trial in this proceeding.

Exhibit 1003

Patent Owner objects to Exhibit 1003 (Declaration of Troy L. Thornton) under FRE 702 because the testimony is not based upon sufficient facts or data and is not the result of application of reliable principles and methods. Patent Owner further objects under FRE 703 that the facts or data are not of a type reasonably relied upon by experts. Patent Owner specifically objects to Exhibit 1003 because it not form the perspective of a person of ordinary skill in the art. Patent Owner further objects to Exhibit 1003, paragraphs 35, 37-44, 49-59, and 61-222 as relying upon incorrect interpretation of the challenged claims (including for the claim terms or phrases "filament," "the filament comprising a first portion extending around at least a portion of the tubular member and a second portion having a first end extending from the first portion in one direction and a second end extending from the first

portion in another direction,” and “circumferentially constricts”), and an incomplete and incorrect understanding and interpretation of Exhibit 1005 with respect to the configuration and operation of embodiments disclosed in Figures 16–19, 30–34 and accompanying text. As such, Exhibit 1003 is not based upon sufficient facts or data, is not the result of application of reliable principles and methods, and the facts or data are not of a type reasonably relied upon by experts.

In view of the above deficiencies, Patent Owner further objects to Exhibit 1003 as creating unfair prejudice, confusing the issues, or as a waste of time pursuant to FRE 403 and as not being relevant and therefore being inadmissible under FRE 401 and 402.

Patent Owner further objects to Exhibit 1003 to the extent that any paragraph relies upon an exhibit that is objected to herein for the reasons set forth in those objections. Any paragraph in Exhibit 1003 that relies upon any exhibit not relied upon by the PTAB to institute this proceeding is further objected to as not being relevant and therefore being inadmissible under FRE 401 and 402.

Exhibit 1037

Patent Owner incorporates by reference all real-time objections made by Patent Owner’s counsel during the deposition of Patent Owner’s expert, Paul Zalesky, as reflected in the deposition transcript (Exhibit 1037).

In view of the foregoing objections, Patent Owner likewise objects to any testimony or argument purporting to rely on Petitioner's Exhibit Nos. 1003 or 1037. Furthermore, Patent Owner objects to paragraphs in the Petition that rely on exhibits objected to in this Patent Owner's Objections to Petitioner's Evidence.

Respectfully submitted,

Date: October 24, 2025 By: / Joseph P. Hamilton /
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CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of **PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE UNDER 37 C.F.R. § 42.64(b)(1)** was served electronically on October 24, 2025, in its entirety on the following counsel of record for Petitioner:

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