

Filed: March 19, 2026

On behalf of **Imperative Care, Inc.**

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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IMPERATIVE CARE, INC.,  
Petitioner,

v.

INARI MEDICAL, INC.,  
Patent Owner.

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Case IPR2025-01021  
Patent No. 11,969,333

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**PETITIONER'S OBJECTIONS TO ADMISSIBILITY OF EVIDENCE  
SERVED WITH PATENT OWNER'S RESPONSE**

Pursuant to 37 C.F.R. § 42.64(b), Petitioner Imperative Care, Inc. submits the following objections to the admissibility of evidence served with Patent Owner's Response (Paper 27). Petitioner reserves its rights to: (1) timely file a motion to exclude Patent Owner's evidence, including evidence in the form of testimony or exhibits, or portions thereof; (2) challenge the credibility and/or weight that should be afforded Patent Owner's evidence, whether or not Petitioner files a motion to exclude the evidence; and (3) cross-examine any Patent Owner declarant within the scope of his or her direct testimony that relates to exhibits or other evidence, without regard to whether Petitioner has objected to the testimony or related exhibits or whether the testimony or related exhibits are ultimately found to be inadmissible.

Evidence	Objections
Exhibit 2005 - Declaration of Brian Brown	<p>Petitioner's objections to the Declaration of Brian Brown, Ex. 2005, are set forth below. To the extent Mr. Brown's declaration incorporates objectionable material in the cited paragraphs below in any additional paragraphs or sections, Petitioner's objections apply with equal force to those additional paragraphs or sections.</p> <p><b>Improper Testimony by Expert Witness (FRE 702-705):</b></p> <p>Patent Owner has not shown that the declarant is qualified to testify on the matters and opinions set out in the declaration. The testimony in ¶¶ 32, 54, 56-57, 69, 78-81, 84, 104, 107, 118, 120 is not based on sufficient facts and data, does not disclose the underlying facts and data, and does not reliably apply facts and data using accepted scientific principles.</p>
Exhibit 2008 – Supplemental	Petitioner's objections to the Supplemental Declaration of Brian Brown, Ex. 2008, are set forth below. To the extent Mr.

<b>Evidence</b>	<b>Objections</b>
Declaration of Brian Brown	<p>Brown’s declaration incorporates objectionable material in the cited paragraphs below in any additional paragraphs or sections, Petitioner’s objections apply with equal force to those additional paragraphs or sections.</p> <p><b>Improper Testimony by Expert Witness (FRE 702-705):</b></p> <p>Patent Owner has not shown that the declarant is qualified to testify on the matters and opinions set out in the declaration. The testimony in ¶¶ 32, 54, 56-57, 69, 71, 73, 82-85, 107, 123, 127, 129, 131, 145 is not based on sufficient facts and data, does not disclose the underlying facts and data, and does not reliably apply facts and data using accepted scientific principles.</p> <p><b>Relevance (FRE 401-403)</b></p> <p>Petitioner objects to the testimony in ¶¶ 71, 89, 94, 95 as irrelevant and prejudicial under FRE 401-403.</p>
Exhibit 2009 – Instructions for Use for Medtronic Bio-Bump™ BP-50, CBBP-50	<p><b>Hearsay and Lack of Authentication (FRE 801-802, 901)</b></p> <p>Petitioner objects to Exhibit 2009 (and the portions of any papers or declarations discussing or relying on this exhibit) because Patent Owner has failed to produce any evidence sufficient to support a finding that the item is what the proponent claims it is and the evidence is hearsay not subject to any exception.</p> <p><b>Irrelevant, Misleading (FRE 401-403)</b></p> <p>Petitioner objects to Exhibit 2009 (and the portions of any papers or declarations discussing or relying on this exhibit) because it is not relevant to any ground on which IPR was instituted and, if admitted, its minimal probative value would be substantially outweighed by the unfair prejudice it would cause, the confusing and misleading nature of the materials,</p>

<b>Evidence</b>	<b>Objections</b>
	the undue delay upon these proceedings, and the waste of time that would ensue.
Exhibit 2010 – Instructions for Use for Maquet Getinge Group ROTAFLOW Centrifugal Pump	<p><b>Hearsay and Lack of Authentication (FRE 801-802, 901)</b></p> <p>Petitioner objects to Exhibit 2010 (and the portions of any papers or declarations discussing or relying on this exhibit) because Patent Owner has failed to produce any evidence sufficient to support a finding that the item is what the proponent claims it is and the evidence is hearsay not subject to any exception.</p>
Exhibit 2011 – 40 Year Bio Pump Timeline	<p><b>Hearsay and Lack of Authentication (FRE 801-802, 901)</b></p> <p>Petitioner objects to Exhibit 2011 (and the portions of any papers or declarations discussing or relying on this exhibit) because Patent Owner has failed to produce any evidence sufficient to support a finding that the item is what the proponent claims it is and the evidence is hearsay not subject to any exception.</p>
Exhibit 2012 – OPERATING INSTRUCTIONS for the Pump Drive BVP-BP for centrifugal blood pump heads BP-50/BP-80 and SP-45	<p><b>Hearsay and Lack of Authentication (FRE 801-802, 901)</b></p> <p>Petitioner objects to Exhibit 2012 (and the portions of any papers or declarations discussing or relying on this exhibit) because Patent Owner has failed to produce any evidence sufficient to support a finding that the item is what the proponent claims it is and the evidence is hearsay not subject to any exception.</p> <p><b>Irrelevant, Misleading (FRE 401-403)</b></p> <p>Petitioner objects to Exhibit 2012 (and the portions of any papers or declarations discussing or relying on this exhibit) because it is not relevant to any ground on which IPR was</p>

Evidence	Objections
	instituted and, if admitted, its minimal probative value would be substantially outweighed by the unfair prejudice it would cause, the confusing and misleading nature of the materials, the undue delay upon these proceedings, and the waste of time that would ensue.
Exhibit 2013 – Deposition Transcript of Troy Thornton (February 18, 2026)	Petitioner incorporates the real-time objections made by Petitioner’s counsel in Ex. 2013.
Exhibit 2014 – Deposition Transcript of Troy Thornton (February 19, 2026)	Petitioner incorporates the real-time objections made by Petitioner’s counsel in Ex. 2014.
Exhibit 2015 – Deposition Transcript of Aquilla S. Turk (February 25, 2026)	Petitioner incorporates the real-time objections made by Petitioner’s counsel in Ex. 2015.
Exhibit 2016 – Declaration of Christopher S. Morris	<p>Petitioner’s objections to the Declaration of Christopher Morris, Ex. 2016, are set forth below. To the extent Dr. Morris’s declaration incorporates objectionable material in the cited paragraphs below in any additional paragraphs or sections, Petitioner’s objections apply with equal force to those additional paragraphs or sections.</p> <p><b>Improper Testimony by Expert Witness (FRE 702-705):</b></p> <p>Patent Owner has not shown that the declarant is qualified to testify on the matters and opinions set out in the declaration. The testimony in ¶¶64, 66, 69, 74, 75, 78, 81-85 is not based on sufficient facts and data, does not disclose the underlying</p>

Evidence	Objections
	<p>facts and data, and does not reliably apply facts and data using accepted scientific principles.</p> <p><b>Irrelevant, Misleading (FRE 401-403)</b></p> <p>Petitioner objects to ¶¶77-85 of Exhibit 2016 (and the portions of any papers or declarations discussing or relying on those paragraphs) because the testimony provided therein is not relevant to any ground on which IPR was instituted and, if admitted, its minimal probative value would be substantially outweighed by the unfair prejudice it would cause, the confusing and misleading nature of the materials, the undue delay upon these proceedings, and the waste of time that would ensue.</p>
Exhibit 2017 - Redacted version of Declaration of Brian Brown	<p><b>Irrelevant, Misleading (FRE 401-403)</b></p> <p>Petitioner objects to Exhibit 2017 because it is not relevant to any ground on which IPR was instituted and, if admitted, its minimal probative value would be substantially outweighed by the unfair prejudice it would cause, the confusing and misleading nature of the materials, the undue delay upon these proceedings, and the waste of time that would ensue. Exhibit 2017 is not cited or relied upon in any of the Papers submitted in this proceeding, including the Petition (Paper 1) or Patent Owner's Response (Paper 27).</p>

Respectfully submitted,  
 KNOBBE MARTENS OLSON & BEAR, LLP

Dated: March 19, 2026

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 Imperative Care, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that, pursuant to 37 C.F.R. § 42.6(e), a true and correct copy of **PETITIONER'S OBJECTIONS TO ADMISSIBILITY OF EVIDENCE SERVED WITH PATENT OWNER'S RESPONSE** is being served electronically on March 19, 2026, to the e-mail addresses shown below:

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