

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 **IPR2025-01562**  
Patent No. **12,109,384**

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

Pursuant to 37 C.F.R. § 42.64(b), Patent Owner submits the following objections to Exhibit Nos. 1003, 1016 and 1017 filed by Petitioner, Imperative Care, Inc., with respect to the Petition for *Inter Partes* Review of U.S. Patent No. 12,109,334. 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 in its entirety because it not from the perspective of a person of ordinary skill in the art. Patent Owner further objects to Exhibit 1003, paragraphs 32, 51-211, and 215, as relying upon incorrect interpretation of the challenged claims (including for the claim term "filament,") 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.

**Exhibits 1016 and 1017**

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 (Exhibits 1016 and 1017).

In view of the foregoing objections, Patent Owner likewise objects to any testimony or argument purporting to rely on Petitioner's Exhibit Nos. 1003, 1016 or

1017. 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: March 31, 2026

By: / Joseph P. Hamilton /  
Joseph P. Hamilton, Reg. No. 51,440  
Perkins Coie LLP  
1888 Century Park East, Suite 1700  
Los Angeles, CA 90067  
Phone: 310-788-3271

Counsel for Patent Owner

**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)** was served electronically on March 31, 2026, in its entirety on the following counsel of record for Petitioner:

Joshua J. Stowell  
Joshua.Stowell@knobbe.com  
Joseph R. Re  
Joe.Re@knobbe.com  
Brian C. Barnes  
Brian.Barnes@knobbe.com  
BoxImperative921@knobbe.com

/ Joseph P. Hamilton /  
Joseph P. Hamilton, Reg. No. 51,770  
hamilton-ptab@perkinscoie.com

PERKINS COIE LLP  
1888 Century Park East, Suite 1700  
Los Angeles, CA 90067-1721  
Phone: (310) 788-3271