

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TCL CORPORATION; TCL COMMUNICATION TECHNOLOGY
HOLDINGS, LTD.; TCT MOBILE LIMITED; TCT MOBILE INC.; AND
TCT MOBILE (US) INC.

Petitioners,

v.

TELEFONAKTIEBOLAGET LM ERICSSON

Patent Owner.

Case IPR2015-01674

U.S. Patent No. RE43,931

PATENT OWNER'S OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner Telefonaktiebolaget LM Ericsson ("Patent Owner" or "Ericsson") serves the following objections pursuant to 37 C.F.R. § 42.64(b)(1) and the Federal Rules of Evidence ("FRE") to evidence submitted by Petitioners TCL Corporation, TCL Communication Technology Holdings, Ltd., TCT Mobile Limited, TCT Mobile Inc., and TCT Mobile (US) Inc. (collectively, "TCL") with their *inter partes* review petition ("Petition") of U.S. Patent No. RE43,931 ("the RE'931 patent"). These objections are timely presented as they are served and submitted within ten business days of the decision to institute trial on February 17, 2016. (*See* Paper No. 7.)

I. IDENTIFICATION OF CHALLENGED EVIDENCE AND GROUNDS FOR OBJECTIONS

A. Exhibit 1001

No objections.

B. Exhibit 1002

Ericsson objects to Exhibit 1002 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding with issues in the litigation irrelevant to patentability and potentially prejudicial to Ericsson. Ericsson also objects under FRE 901 because Exhibit 1002 has not been authenticated and is not self-authenticating under FRE 902. No testimony or other evidence was presented to

support a finding that the item is what the proponent claims it is. Additionally, this exhibit is inadmissible hearsay under FRE 802.

C. Exhibit 1003

Ericsson objects to Exhibit 1003 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding with issues in the litigation irrelevant to patentability and potentially prejudicial to Ericsson. Ericsson also objects under FRE 901 because Exhibit 1003 has not been authenticated and is not self-authenticating under FRE 902. No testimony or other evidence was presented to support a finding that the item is what the proponent claims it is. Additionally, this exhibit is inadmissible hearsay under FRE 802.

D. Exhibit 1004

TCL has not proven that Exhibit 1004 is prior art as of the December 30, 1997 priority date. Ericsson objects to Exhibit 1004 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

E. Exhibit 1005

TCL has not proven that Exhibit 1005 is prior art as of the December 30, 1997 priority date. Ericsson objects to Exhibit 1005 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the

danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

F. Exhibit 1006

Ericsson objects to Exhibit 1006 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

G. Exhibit 1007

Ericsson objects to Exhibit 1007 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

H. Exhibit 1008

Ericsson objects to Exhibit 1008 because TCL has not proven that Exhibit 1008 is prior art or otherwise relevant to this proceeding. Exhibit 1008 was published July 23, 2002, and TCL has not proven that Exhibit 1008 is entitled to its earliest priority date. Thus, TCL has not proven that Exhibit 1008 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1008 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of

wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

I. Exhibit 1009

Ericsson objects to Exhibit 1009 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

J. Exhibit 1010

Ericsson objects to Exhibit 1010 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

K. Exhibit 1011

Ericsson objects to Exhibit 1011 because TCL has not proven that Exhibit 1011 is prior art or otherwise relevant to this proceeding. Exhibit 1011 was published March 30, 1999, and TCL has not proven that Exhibit 1011 is entitled to its earliest priority date. Thus, TCL has not proven that Exhibit 1011 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1011 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of

wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

L. Exhibit 1012

Ericsson objects to Exhibit 1012 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

M. Exhibit 1013

Ericsson objects to Exhibit 1013 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

N. Exhibit 1014

Ericsson objects to Exhibit 1014 because TCL has not proven that Exhibit 1014 is prior art or otherwise relevant to this proceeding. Exhibit 1014 was retrieved from the Internet in 2015, and no publication information is available other than a copyright date of 2015. TCL has not proven that Exhibit 1014 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1014 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Ericsson also objects under FRE 901

because Exhibit 1014 has not been authenticated and is not self-authenticating under FRE 902. No testimony or other evidence was presented to support a finding that the item is what the proponent claims it is. Additionally, this exhibit is inadmissible hearsay under FRE 802.

O. Exhibit 1015

Ericsson objects to Exhibit 1015 because TCL has not proven that Exhibit 1015 is prior art or otherwise relevant to this proceeding. Exhibit 1015 was retrieved from the Internet in 2015, and no publication information is available other than multiple copyright dates from 1988 to 2015, which are inadmissible hearsay under FRE 802. TCL has not proven that Exhibit 1015 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1015 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Ericsson also objects under FRE 901 because Exhibit 1015 has not been authenticated and is not self-authenticating under FRE 902. No testimony or other evidence was presented to support a finding that the item is what the proponent claims it is. Additionally, this exhibit is inadmissible hearsay under FRE 802.

P. Exhibit 1016

Ericsson objects to Exhibit 1016 under FRE 402 and FRE 403 because it is

irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

Q. Exhibit 1017

Ericsson objects to Exhibit 1017 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

R. Exhibit 1018

Ericsson objects to Exhibit 1018 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

S. Exhibit 1019

Ericsson objects to Exhibit 1019 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

T. Exhibit 1020

Ericsson objects to Exhibit 1020 because TCL has not proven that Exhibit 1020 is prior art or otherwise relevant to this proceeding. Exhibit 1020 was

allegedly published in December 1994, but was retrieved from the Internet in 2015. TCL has not proven that Exhibit 1020 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1020 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

U. Exhibit 1021

Ericsson objects to Exhibit 1021 because TCL has not proven that Exhibit 1021 is prior art or otherwise relevant to this proceeding. Exhibit 1021 was allegedly published in 2010, but was retrieved from the Internet in 2015. TCL has not proven that Exhibit 1021 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1021 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

V. Exhibit 1022

Ericsson objects to Exhibit 1022 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of

wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

W.Exhibit 1023

Ericsson objects to Exhibit 1023 because TCL has not proven that Exhibit 1023 is prior art or otherwise relevant to this proceeding. Exhibit 1023 was published March 14, 2000, and TCL has not proven that Exhibit 1023 is entitled to its earliest priority date. Thus, TCL has not proven that Exhibit 1023 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1023 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

X. Exhibit 1024

Ericsson objects to Exhibit 1024 because TCL has not proven that Exhibit 1024 is prior art or otherwise relevant to this proceeding. Exhibit 1024 was published January 5, 1999, and TCL has not proven that Exhibit 1024 is entitled to its earliest priority date. Thus, TCL has not proven that Exhibit 1024 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1024 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of

wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

Y. Exhibit 1025

Ericsson objects to Exhibit 1025 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

Z. Exhibit 1026

Ericsson objects to Exhibit 1026 because TCL has not proven that Exhibit 1026 is prior art or otherwise relevant to this proceeding. Exhibit 1026 appears to be an electronic recreation of a document originally allegedly published sometime in 1986. However, no publication information for the electronic version is provided (although it appears to have been retrieved in 2015), and there is no way of confirming the content in comparison to the original document. Although TCL provided the Declaration of Steve Wasserman comparing the content of Exhibit 1026 to the original document, TCL has not proven that Exhibit 1026 itself (*i.e.*, the electronic recreation from 2015) is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1026 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of

wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

AA. Exhibit 1027

Ericsson objects to Exhibit 1027 because TCL has not proven that Exhibit 1027 is prior art or otherwise relevant to this proceeding. Exhibit 1027 was published October 20, 1998, and TCL has not proven that Exhibit 1027 is entitled to its earliest priority date. Thus, TCL has not proven that Exhibit 1027 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1027 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

BB. Exhibit 1028

Ericsson objects to Exhibit 1028 because TCL has not proven that Exhibit 1028 is prior art or otherwise relevant to this proceeding. Exhibit 1028 was published August 24, 1999, and TCL has not proven that Exhibit 1028 is entitled to its earliest priority date. Thus, TCL has not proven that Exhibit 1028 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1028 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of

wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

CC. Exhibit 1029

Ericsson objects to Exhibit 1029 because TCL has not proven that Exhibit 1029 is prior art or otherwise relevant to this proceeding. Exhibit 1029 was published December 28, 1999, and TCL has not proven that Exhibit 1029 is entitled to its earliest priority date. Thus, TCL has not proven that Exhibit 1029 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1029 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

DD. Exhibit 1030

Ericsson objects to Exhibit 1030 because TCL has not proven that Exhibit 1030 is prior art or otherwise relevant to this proceeding. Exhibit 1030 was published July 13, 1999, and TCL has not proven that Exhibit 1030 is entitled to its earliest priority date. Thus, TCL has not proven that Exhibit 1030 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1030 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of

wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

EE. Exhibit 1031

Ericsson objects to Exhibit 1031 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

FF. Exhibit 1032

Ericsson objects to Exhibit 1032 because TCL has not proven that Exhibit 1032 is prior art or otherwise relevant to this proceeding. Exhibit 1032 was published April 28, 1998, and TCL has not proven that Exhibit 1032 is entitled to its earliest priority date. Thus, TCL has not proven that Exhibit 1032 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1032 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

GG. Exhibit 1033

Ericsson objects to Exhibit 1033 because TCL has not proven that Exhibit 1033 is prior art or otherwise relevant to this proceeding. Exhibit 1033 was

published March 26, 2002. Thus, TCL has not proven that Exhibit 1033 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1033 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

HH. Exhibit 1034

Ericsson objects to Exhibit 1034 because TCL has not proven that Exhibit 1034 is prior art or otherwise relevant to this proceeding. Exhibit 1034 was allegedly published sometime in 1995. However, no publication information is provided beyond a copyright date from 1995, which is inadmissible hearsay under FRE 802. TCL submitted the Declaration of Beth Kellermann to assert that the copyright date falls under the business record hearsay exception, but this declaration does not address the public accessibility of Exhibit 1034. Ericsson TCL has not proven that Exhibit 1034 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1034 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Ericsson also objects under FRE 901 because Exhibit 1034 has not been authenticated and is not self-authenticating

under FRE 902. No testimony or other evidence was presented to support a finding that the item is what the proponent claims it is. Additionally, this exhibit is inadmissible hearsay under FRE 802.

II. Exhibit 1035

Ericsson objects to Exhibit 1035 because TCL has not proven that Exhibit 1035 is prior art or otherwise relevant to this proceeding. Exhibit 1035 is dated 1996. However, no publication information is provided. TCL has not proven that Exhibit 1035 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1035 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

JJ.Exhibit 1036

Ericsson objects to Exhibit 1036 because TCL has not proven that Exhibit 1036 is prior art or otherwise relevant to this proceeding. Exhibit 1036 was published May 5, 1998, and TCL has not proven that Exhibit 1036 is entitled to its earliest priority date. Thus, TCL has not proven that Exhibit 1036 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1036 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of

wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

KK. Exhibit 1037

Ericsson objects to Exhibit 1037 because TCL has not proven that Exhibit 1037 is prior art or otherwise relevant to this proceeding. Exhibit 1037 was published Jan. 20, 1998, and TCL has not proven that Exhibit 1037 is entitled to its earliest priority date. Thus, TCL has not proven that Exhibit 1037 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1037 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

LL. Exhibit 1038

Ericsson objects to Exhibit 1038 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding with issues in the litigation irrelevant to patentability and potentially prejudicial to Ericsson. Ericsson also objects under FRE 901 because Exhibit 1038 has not been authenticated and is not self-authenticating under FRE 902. No testimony or other evidence was presented to

support a finding that the item is what the proponent claims it is. Additionally, this exhibit is inadmissible hearsay under FRE 802.

MM. Exhibit 1039

Ericsson objects to Exhibit 1039 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding with issues in the litigation irrelevant to patentability and potentially prejudicial to Ericsson. Ericsson also objects under FRE 901 because Exhibit 1039 has not been authenticated and is not self-authenticating under FRE 902. No testimony or other evidence was presented to support a finding that the item is what the proponent claims it is. Additionally, this exhibit is inadmissible hearsay under FRE 802.

NN. Exhibit 1040

Ericsson objects to Exhibit 1040 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding with issues in the litigation irrelevant to patentability and potentially prejudicial to Ericsson. Ericsson also objects under FRE 901 because Exhibit 1040 has not been authenticated and is not self-authenticating under FRE 902. No testimony or other evidence was presented to support a finding that the item is what the proponent claims it is. Additionally, this exhibit is inadmissible hearsay under FRE 802.

OO. Exhibit 1041

Ericsson objects to Exhibit 1041 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding with issues in the litigation irrelevant to patentability and potentially prejudicial to Ericsson. Ericsson also objects under FRE 901 because Exhibit 1041 has not been authenticated and is not self-authenticating under FRE 902. No testimony or other evidence was presented to support a finding that the item is what the proponent claims it is. Additionally, this exhibit is inadmissible hearsay under FRE 802.

PP. Exhibit 1042

Ericsson objects to Exhibit 1042 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding with issues in the litigation irrelevant to patentability and potentially prejudicial to Ericsson. Ericsson also objects under FRE 901 because Exhibit 1042 has not been authenticated and is not self-authenticating under FRE 902. No testimony or other evidence was presented to support a finding that the item is what the proponent claims it is. Additionally, this exhibit is inadmissible hearsay under FRE 802.

QQ. Exhibit 1043

Ericsson objects to Exhibit 1043 because TCL has not proven that Exhibit 1043 is prior art or otherwise relevant to this proceeding. Exhibit 1043 was

published August 10, 1999, and TCL has not proven that Exhibit 1043 is entitled to its earliest priority date. Thus, TCL has not proven that Exhibit 1043 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1043 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

RR. Exhibit 1044

Ericsson objects to Exhibit 1044 because TCL has not proven that Exhibit 1044 is prior art or otherwise relevant to this proceeding. Exhibit 1044 was allegedly published sometime in 1983. However, no publication information is provided beyond a copyright date from 1983, which is inadmissible hearsay under FRE 802. TCL has not proven that Exhibit 1044 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1044 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

SS. Exhibit 1045

Ericsson objects to Exhibit 1045 because TCL has not proven that Exhibit 1045 is prior art or otherwise relevant to this proceeding. Exhibit 1045 is a replication of a software diskette. TCL has not proven that Exhibit 1045 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1045 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Ericsson also objects under FRE 901 because Exhibit 1045 has not been authenticated and is not self-authenticating under FRE 902. No testimony or other evidence was presented to support a finding that the item is what the proponent claims it is. Additionally, this exhibit is inadmissible hearsay under FRE 802.

TT. Exhibit 1046

Ericsson objects to Exhibit 1046 because TCL has not proven that Exhibit 1046 is prior art or otherwise relevant to this proceeding. Exhibit 1046 was retrieved from the Internet in 2015, and says the document was created in 2000. TCL has not proven that Exhibit 1046 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1046 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of

wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

UU. Exhibit 1047

Ericsson objects to Exhibit 1047 because TCL has not proven that Exhibit 1047 is prior art or otherwise relevant to this proceeding. Exhibit 1047 was published March 14, 2000, and TCL has not proven that Exhibit 1047 is entitled to its earliest priority date. Thus, TCL has not proven that Exhibit 1047 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1047 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

VV. Exhibit 1048

Ericsson objects to Exhibit 1048 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

WW. Exhibit 1049

Ericsson objects to Exhibit 1049 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of

wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

XX. Exhibit 1050

Ericsson objects to Exhibit 1050 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

YY. Exhibit 1051

Ericsson objects to Exhibit 1051 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

ZZ. Exhibit 1052

Ericsson objects to Exhibit 1052 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

AAA. Exhibit 1053

Ericsson objects to Exhibit 1053 because TCL has not proven that Exhibit 1053 is prior art or otherwise relevant to this proceeding. Exhibit 1053 was

retrieved from the Internet, and the document is dated 2012. TCL has not proven that Exhibit 1053 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1053 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

BBB. Exhibit 1054

Ericsson objects to Exhibit 1054 because TCL has not proven that Exhibit 1054 is prior art or otherwise relevant to this proceeding. Exhibit 1054 was retrieved from the Internet, and the document includes a copyright date of 2012. TCL has not proven that Exhibit 1054 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1054 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

CCC. Exhibit 1055

Ericsson objects to Exhibit 1055 because TCL has not proven that Exhibit 1055 is prior art or otherwise relevant to this proceeding. Exhibit 1055 was retrieved from the Internet in 2015, and includes no publication information. TCL

has not proven that Exhibit 1055 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1055 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

DDD. Exhibit 1056

Ericsson objects to Exhibit 1056 because TCL has not proven that Exhibit 1056 is prior art or otherwise relevant to this proceeding. Exhibit 1056 was allegedly published in 1995, but was retrieved from the Internet in 2015. TCL has not proven that Exhibit 1056 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1056 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Ericsson also objects under FRE 901 because Exhibit 1056 has not been authenticated and is not self-authenticating under FRE 902. No testimony or other evidence was presented to support a finding that the item is what the proponent claims it is. Additionally, this exhibit is inadmissible hearsay under FRE 802.

EEE. Exhibit 1057

Ericsson objects to Exhibit 1057 because TCL has not proven that Exhibit 1057 is prior art or otherwise relevant to this proceeding. Exhibit 1057 was retrieved from the Internet, and the document includes a date of 2010. TCL has not proven that Exhibit 1057 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1057 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

FFF. Exhibit 1058

Ericsson objects to Exhibit 1058 because TCL has not proven that Exhibit 1058 is prior art or otherwise relevant to this proceeding. Exhibit 1058 was allegedly published in 1963, and no publication information is available other than a copyright date of 1963, which is inadmissible hearsay under FRE 802. TCL has not proven that Exhibit 1058 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1058 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802 and is incomplete under FRE 106.

GGG. Exhibit 1059

Ericsson objects to Exhibit 1059 because TCL has not proven that Exhibit 1059 is prior art or otherwise relevant to this proceeding. Exhibit 1059 was allegedly published sometime in 1994. However, no publication information is provided beyond a copyright date from 1994, which is inadmissible hearsay under FRE 802. TCL has not proven that Exhibit 1059 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1059 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

HHH. Exhibit 1060

Ericsson objects to Exhibit 1060 because TCL has not proven that Exhibit 1060 is prior art or otherwise relevant to this proceeding. Exhibit 1060 was last modified in 2008, and apparently retrieved from the Internet in 2010. TCL has not proven that Exhibit 1060 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1060 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

III. Exhibit 1061

Ericsson objects to Exhibit 1061 because TCL has not proven that Exhibit 1061 is prior art or otherwise relevant to this proceeding. Exhibit 1061 was retrieved from the Internet, and has no publication information other than a copyright date of 1995-2015, which is inadmissible hearsay under FRE 802. TCL has not proven that Exhibit 1061 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1061 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Ericsson also objects under FRE 901 because Exhibit 1061 has not been authenticated and is not self-authenticating under FRE 902. No testimony or other evidence was presented to support a finding that the item is what the proponent claims it is. Additionally, this exhibit is inadmissible hearsay under FRE 802.

JJJ. Exhibit 1062

Ericsson objects to Exhibit 1062 because TCL has not proven that Exhibit 1062 is prior art or otherwise relevant to this proceeding. Exhibit 1062 was allegedly published in 1961, but has no publication information other than a copyright date of 1961, which is inadmissible hearsay under FRE 802. TCL has not proven that Exhibit 1062 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1062 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

KKK. Exhibit 1063

Ericsson objects to Exhibit 1063 because TCL has not proven that Exhibit 1063 is prior art or otherwise relevant to this proceeding. Exhibit 1063 was retrieved from the Internet in 2015, and has no publication information other than a copyright date of 2015. TCL has not proven that Exhibit 1063 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1063 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

LLL. Exhibit 1064

Ericsson objects to Exhibit 1064 because TCL has not proven that Exhibit 1064 is prior art or otherwise relevant to this proceeding. Exhibit 1064 was retrieved from the Internet in 2015, and has no publication information other than a copyright date of 1999-2006, which is inadmissible hearsay under FRE 802. TCL

has not proven that Exhibit 1064 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1064 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

MMM. Exhibit 1065

Ericsson objects to Exhibit 1065 because TCL has not proven that Exhibit 1065 is prior art or otherwise relevant to this proceeding. Exhibit 1065 was allegedly published in 1978, but has no publication information other than a copyright date of 1972-1978, which is inadmissible hearsay under FRE 802. TCL has not proven that Exhibit 1065 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1065 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

NNN. Exhibit 1066

Ericsson objects to Exhibit 1066 because TCL has not proven that Exhibit 1066 is prior art or otherwise relevant to this proceeding. Exhibit 1066 was

retrieved from the Internet in 2015, and has no publication information. TCL has not proven that Exhibit 1066 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1066 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

OOO. Exhibit 1067

Ericsson objects to Exhibit 1067 because TCL has not proven that Exhibit 1067 is prior art or otherwise relevant to this proceeding. Exhibit 1067 was retrieved from the Internet in 2015, and has no publication information. TCL has not proven that Exhibit 1067 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1067 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

PPP. Exhibit 1068

Ericsson objects to Exhibit 1068 because TCL has not proven that Exhibit 1068 is prior art or otherwise relevant to this proceeding. Exhibit 1068 was retrieved from the Internet in 2015, and has a copyright date of 2006. TCL has not proven that Exhibit 1068 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1068 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

QQQ. Exhibit 1069

Ericsson objects to Exhibit 1069 because TCL has not proven that Exhibit 1069 is prior art or otherwise relevant to this proceeding. Exhibit 1069 was published July 6, 1999, and TCL has not proven that Exhibit 1069 is entitled to its earliest priority date. Thus, TCL has not proven that Exhibit 1069 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1069 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

RRR. Exhibit 1070

Ericsson objects to Exhibit 1070 because TCL has not proven that Exhibit 1070 is prior art or otherwise relevant to this proceeding. Exhibit 1070 was retrieved from the Internet in 2015, and has no publication information. TCL has not proven that Exhibit 1070 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1070 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

SSS. Exhibit 1071

Ericsson objects to Exhibit 1071 because TCL has not proven that Exhibit 1071 is prior art or otherwise relevant to this proceeding. Exhibit 1071 was retrieved from the Internet in 2015, and has no publication information other than a copyright date of 2015. TCL has not proven that Exhibit 1071 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1071 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

TTT. Exhibit 1072

Ericsson objects to Exhibit 1072 because TCL has not proven that Exhibit 1072 is prior art or otherwise relevant to this proceeding. Exhibit 1072 was retrieved from the Internet in 2015, and states it was updated in 2013. TCL has not proven that Exhibit 1072 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1072 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

UUU. Exhibit 1073

Ericsson objects to Exhibit 1073 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

VVV. Exhibit 1074

Ericsson objects to Exhibit 1074 because TCL has not proven that Exhibit 1074 is prior art or otherwise relevant to this proceeding. Exhibit 1074 was allegedly published in 1985, and no publication information is available other than a copyright date of 1985, which is inadmissible hearsay under FRE 802. TCL has not proven that Exhibit 1074 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1074 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

WWW. Exhibit 1075

Ericsson objects to Exhibit 1075 because TCL has not proven that Exhibit 1075 is prior art or otherwise relevant to this proceeding. Exhibit 1075 appears to be an unpublished manuscript dated June 1990, and the date is inadmissible hearsay under FRE 802. No publication information is available. Although TCL has submitted the Declaration of Melanie Cain regarding a related document, TCL has not proven that Exhibit 1075 itself (*i.e.*, the unpublished manuscript) is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1075 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802 and is incomplete under FRE 106.

XXX. Exhibit 1076

Ericsson objects to Exhibit 1076 because TCL has not proven that Exhibit 1076 is prior art or otherwise relevant to this proceeding. Exhibit 1076 appears to be an unpublished manuscript dated September 1991, and the date is inadmissible hearsay under FRE 802. No publication information is available. TCL has not proven that Exhibit 1076 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1076 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of

wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802 and is incomplete under FRE 106.

YYY. Exhibit 1077

Ericsson objects to Exhibit 1077 because TCL has not proven that Exhibit 1077 is prior art or otherwise relevant to this proceeding. Exhibit 1077 was retrieved from the Internet in 2015, and has no publication information other than a copyright date of 2000-2015. TCL has not proven that Exhibit 1077 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1077 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

ZZZ. Exhibit 1078

Ericsson objects to Exhibit 1078 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

AAAA. Exhibit 1079

Ericsson objects to Exhibit 1079 because TCL has not proven that Exhibit 1079 is prior art or otherwise relevant to this proceeding. Exhibit 1079 was allegedly published sometime in 1993. However, no publication information is

provided beyond a copyright date from 1992-93, which is inadmissible hearsay under FRE 802. TCL has not proven that Exhibit 1079 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1079 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

BBBB. Exhibit 1080

Ericsson objects to Exhibit 1080 because TCL has not proven that Exhibit 1080 is prior art or otherwise relevant to this proceeding. Exhibit 1080 is a copy of a magazine cover that was allegedly published sometime in 1993. However, no publication information is provided for Exhibit 1080 itself. TCL has not proven that Exhibit 1080 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1080 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802 and incomplete under FRE 106.

CCCC. Exhibit 1081

Ericsson objects to Exhibit 1081 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of

wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

DDDD. Exhibit 1082

Ericsson objects to Exhibit 1082 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

EEEE. Exhibit 1083

Ericsson objects to Exhibit 1083 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

FFFF. Exhibit 1084

Ericsson objects to Exhibit 1084 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

GGGG. Exhibit 1085

Ericsson objects to Exhibit 1085 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of

wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

HHHH. Exhibit 1086

Ericsson objects to Exhibit 1086 because TCL has not proven that Exhibit 1086 is prior art or otherwise relevant to this proceeding. Exhibit 1086 was allegedly published sometime in 1999. TCL has not proven that Exhibit 1086 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1086 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Ericsson also objects under FRE 901 because Exhibit 1086 has not been authenticated and is not self-authenticating under FRE 902. No testimony or other evidence was presented to support a finding that the item is what the proponent claims it is. Indeed, Exhibit 1086 appears to include electronic highlighting that is not part of the original document. Additionally, this exhibit is inadmissible hearsay under FRE 802.

III. Exhibit 1087

Ericsson objects to Exhibit 1087 because TCL has not proven that Exhibit 1087 is prior art or otherwise relevant to this proceeding. Exhibit 1087 was published April 6, 1999, and TCL has not proven that Exhibit 1087 is entitled to its

earliest priority date. Thus, TCL has not proven that Exhibit 1087 is prior art as of the December 30, 1997 priority date.

Ericsson objects to Exhibit 1087 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Ericsson also objects under FRE 901 because Exhibit 1087 has not been authenticated and is not self-authenticating under FRE 902 because Exhibit 1087 appears to include electronic highlighting that is not part of the original document. Additionally, this exhibit is inadmissible hearsay under FRE 802.

JJJJ. Exhibit 1088

Ericsson objects to Exhibit 1088 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

KKKK. Exhibit 1089

TCL has not proven that Exhibit 1089 is prior art as of the December 30, 1997 priority date. Ericsson objects to Exhibit 1089 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

LLLL. Exhibit 1090

TCL has not proven that Exhibit 1090 is prior art as of the December 30, 1997 priority date. Ericsson objects to Exhibit 1090 under FRE 402 and FRE 403 because it is irrelevant and its probative value is substantially outweighed by the danger of wasting time in this compressed proceeding. Additionally, this exhibit is inadmissible hearsay under FRE 802.

MMMM. Exhibit 1205

Ericsson objects to Exhibit 1205, the Declaration of Andrew Wolfe, Ph.D, under FRE 402 to the extent it includes or relies on irrelevant information and under FRE 403 to the extent that it includes or relies on information, the probative value of which is substantially outweighed by the danger of wasting time in this compressed proceeding. By way of non-exclusive example, Exhibit 1205 relies on exhibits and information not available or not proved to be available to the public as of the priority date. This evidence has no relevance to what a person of ordinary skill in the art would have known by the priority date. By way of non-exclusive example, Mr. Wolfe cites Exhibit 1027 in discussing his overview of the '931 patent but this document was published on October 20, 1998, and has no relevance to what a person of ordinary skill in the art would have known by the December 30, 1997 priority date.

Ericsson hereby incorporates by reference its objections to the exhibits relied on or cited in Exhibit 1205.

Respectfully submitted,
Oblon, McClelland, Maier &
Neustadt, LLP

Dated: March 2, 2016

/W. Todd Baker/
W. Todd Baker (Reg. No. 45,265)
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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies service of
PATENT OWNER'S OBJECTIONS TO EVIDENCE on the counsel of record for
the Petitioner by filing this document through the Patent Review Processing
System as well as delivering a copy via electronic mail to the following addresses:

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Dated: March 2, 2016

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