

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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INTEL CORP., and  
CAVIUM, INC.,  
Petitioner,

v.

ALACRITECH, INC.,  
*Patent Owner*

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Case IPR2017-01410<sup>1</sup>  
U.S. Patent No. 8,131,880

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

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<sup>1</sup> Cavium, who filed a Petition in Case IPR2017-01737, has been joined as a petitioner in this proceeding.

Pursuant to 37 C.F.R. § 42.64(b), Patent Owner, Alacritech, Inc. hereby makes the following objections to the admissibility of documents submitted with Petitioner’s Petition.

<b>Evidence</b>	<b>Objections</b>
Exhibit 1003 (Lin Declaration)	<p>Patent Owner objects to this exhibit because it includes information that is not discussed sufficiently in the Petition. Admissibility of such declaration would permit the use of declarations to circumvent the page limits that apply to petitions.</p> <p><b>FRE 702:</b> Patent Owner objects to this exhibit to the extent it is irrelevant, not based on a reliable foundation, and constitutes conclusory opinions without sufficient support. For example, it provides no basis or evidence that:</p> <p>“[A]ll of the [offload] concepts were well known to those in the art”;</p> <p>In footnote 5, “These books were well known resources to a person of ordinary skill in the art”;</p> <p>“In my opinion, other advantages of the combination would be readily apparent to a person of ordinary skill in the art.”</p> <p><b>FRE 801:</b> Patent Owner objects to this exhibit because it includes inadmissible hearsay that does not fall within the scope of any hearsay exception under FRE 803.</p>
Exhibit 1004 (Horst Resume)	<p><b>FRE 801:</b> Patent Owner objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p>
Exhibit 1005 (Erickson)	<p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and</p>

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	<p>its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
<p>Exhibit 1006 (Tanenbaum96)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p>
<p>Exhibit 1007 (Darpa Internet Protocol Specification)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p>

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	<p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
<p>Exhibit 1008 (Stevens1)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
<p>Ex.1009 (Proposed Host-Front End Protocol)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner</p>

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	<p>attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
<p>Exhibit 1011            (Librarian            Declaration of            Rice Majors)</p>	<p><b>FRE 602:</b> Patent Owner objects to this exhibit because Petitioner does not introduce evidence of declarant’s personal knowledge of the subject matter of the testimony contained therein.</p> <p><b>FRE 701 and FRE 702:</b> Patent Owner objects to this exhibit because it includes opinion testimony of lay witness without meeting the requirement of FRE 701 and Petitioner fails to establish the witness as an expert under FRE 702.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 801.</p>
<p>Exhibit 1013            (Stevens2)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner</p>

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	<p>attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
<p>Ex. 1014 (RFC 2140)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>

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<p>Ex.1015 (Thia)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p>
<p>Ex. 1017 (Rütsche92)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and</p>

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<p>Ex. 1018 (Rütsche93)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
<p>Ex. 1019 (RFC 647)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE</p>

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	<p>801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
Ex. 1020 (Bach)	<p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
Ex. 1021 (Morris)	<p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
Ex. 1022 (Cooper)	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p>

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	<p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
Ex. 1023 (Kung)	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
Ex.1024 (Chesson)	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this</p>

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	<p>exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
<p>Ex. 1025 (Kanakia)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p>

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<p>Ex. 1026 (Kung and Cooper)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
<p>Ex. 1027 (Dalton)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner</p>

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Ex.1028 (Murphy)	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>

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Ex. 1029 (MacLean)	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
Ex. 1030 (Clark)	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p>

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	<p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
Ex. 1033 (Alteon)	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
Ex. 1034 (Smith)	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p>

<b>Evidence</b>	<b>Objections</b>
	<p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
Ex. 1035 (Patterson)	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit</p>

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<p>Ex. 1036 (RFC 791)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
<p>Ex. 1064 (Rowlison Decl.)</p>	<p><b>FRE 602:</b> Patent Owner objects to this exhibit because Petitioner does not introduce evidence of declarant’s personal knowledge of the subject matter of the testimony contained therein.</p> <p><b>FRE 701 and FRE 702:</b> Patent Owner objects to this exhibit because it includes opinion testimony of lay witness without meeting the requirement of FRE 701 and Petitioner fails to establish the witness as an expert under FRE 702.</p>

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<p>Ex. 1069 (Thia Thesis)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
<p>Ex. 1078 (Muller)</p>	<p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
<p>Ex. 1079 (Nahum)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this</p>

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	<p>exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
<p>Ex. 1080 (UW Decl.)</p>	<p><b>FRE 602:</b> Patent Owner objects to this exhibit because Petitioner does not introduce evidence of declarant’s personal knowledge of the subject matter of the testimony contained therein.</p> <p><b>FRE 701 and FRE 702:</b> Patent Owner objects to this exhibit because it includes opinion testimony of lay witness without meeting the requirement of FRE 701 and Petitioner fails to establish the witness as an expert under FRE 702.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 801.</p>
<p>Ex. 1081 (Kerr)</p>	<p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of</p>

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	<p>unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
<p>Ex. 1083 (Cormen90)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
<p>Ex. 1084 (Flanders)</p>	<p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
<p>Ex. 1085 (Piscitello)</p>	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p>

Evidence	Objections
	<p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
Ex. 1086 (OSI/TS)	<p><b>FRE 901:</b> Patent Owner objects to this exhibit because Petitioner has failed to establish that this exhibit is what Petitioner claims it is, and has failed to authenticate this exhibit.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803. To the extent that Petitioner attempts to rely on any date that appears on this exhibit to establish public accessibility, the date is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p> <p>Patent Owner also objects to this exhibit because Petitioner fails to establish that this exhibit is publicly available before the priority date of the patent at issue.</p> <p><b>FRE 401, 402, and 403:</b> Patent Owner objects to this exhibit because it is not relied on as a reference and is irrelevant, and</p>

<b>Evidence</b>	<b>Objections</b>
	its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.

Date: December 30, 2017

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certify that PATENT OWNER'S OBJECTION TO EVIDENCE was served on December 30, 2017 by filing it through the Patent Review Processing System, as well as by e-mailing copies to:

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