

Filed on behalf of XY, LLC.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ABS GLOBAL, INC.,
Petitioner

v.

XY, LLC,
Patent Owner

Case IPR2017-02184
Patent 7,208,265

XY, LLC'S OBJECTIONS TO EVIDENCE

In accordance with 37 C.F.R. 42.64(b)(1), Patent Owner XY, LLC object to ABS Global, Inc.'s introduction of the following exhibit:

- Exhibit 1007 (Fugger)
 - Not relevant under F.R.E. 402 and any probative value is outweighed by prejudice under F.R.E. 403 (Ineligible prior art because there is no evidence that Fugger was sufficiently accessible to the public interested in the art before the critical date (November 24, 1998); Fugger is prejudicial to the extent that, if the it was publicly available prior art, XY does not have sufficient notice of the earliest publication date that ABS is alleging and so XY cannot know with certainty what date to swear behind);
 - Inadmissible hearsay under F.R.E. 802 (ABS relies on a purported public availability date (September 1998) found on the cover of the Human Reproduction journal. ABS is relying on this date for the truth of the matter asserted without offering a hearsay exception or a statement that the date is not hearsay).

Date: April 27, 2018

Respectfully submitted,

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IPR2017-02184
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Counsel for Patent Owner
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing XY, LLC's
Objections to Evidence was served on counsel of record on April 27, 2018, by
filing this document through the End-to-End System, as well as delivering a
copy via electronic mail to the counsel of record for the Petitioner at the
following address:

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