UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VF Outdoor, LLC
Petitioner

v.

Cocona, Inc.
Patent Owner

Patent No. 8,945,287
Inter Partes Review No. IPR2018-00190

PATENT OWNER'S OBJECTIONS TO EVIDENCE FILED BY PETITIONER IN SUPPORT OF REPLY

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner Cocona, Inc. ("Cocona" or "Patent Owner") hereby objects under the Federal Rules of Evidence and 37 C.F.R. § 42.62 to the admissibility of the following evidence filed and served by Petitioner VF Outdoor, LLC ("Petitioner") in support of its Reply to Patent Owner's Response (Paper 33). These objections are being timely served within five (5) business days of the Petitioner's service of exhibits to which these objections are made. Patent Owner objects to the following exhibits:

1. EXHIBIT 1044

Patent Owner objects to Exhibit 1044, the Second Declaration of Abigail Oelker, Ph.D., paragraph by paragraph, as set forth below.

Paragraph	Grounds for Objection
2	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3).
3	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper new evidence. Trial Practice Guide, 77 Fed. Reg. at 48,767 ("TPG")
5	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3).
6	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3).
7	• Patent Owner objects to Exs. 1049-1058 and all use of same. These exhibits are improper new evidence that could have

	been presented in a prior filing under 37 C.F.R. § 42.23(b) and are improper supplemental information under § 42.123(b). *See* Revised Trial Practice Guide, August 2018, p. 14-15 ("RTPG"). • Lack of authentication, Exs. 1049-1058. Fed. R. Evid. ("FRE") 901, 902. • Hearsay, Exs. 1049-1058. FRE 801-802.
8	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3).
9	• Improper legal conclusion. • Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15.
10	• Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper legal conclusion.
11	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15.
12	• Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b).

	• Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15.
13	• Improper new argument and/or evidence that could have been presented in a prior filing, including Ex. 1057. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence, including Ex. 1057. RTPG at 14-15. • Lack of authentication, including Ex. 1057. FRE 901, 902. • Hearsay, including Ex. 1057. FRE 801-802.
14	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997) ; FRE. 702, 703.
15	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15.
16	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997) ; FRE 702, 703.
17	• Improper new evidence. TPG at 48,767.

	• Improper new argument and/or evidence that could have been presented in a prior filing, including an invalidity theory not present in the Petition. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997) ; FRE 702, 703.
18	• Improper legal conclusion. • Improper new argument and/or evidence that could have been presented in a prior filing, including an invalidity theory not present in the Petition. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
19	• Improper legal conclusion. • Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently

	based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
20	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper legal conclusion. • Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
21	• Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15.
22	• Improper legal conclusion. • Improper new argument and/or evidence that could have been presented in a prior filing, including new claim construction opinion and argument. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See*

	General Elec. Co. v. Joiner, 522 U.S. 136, 146 (1997); FRE 702, 703.
23	• Improper legal conclusion. • Improper new argument and/or evidence that could have been presented in a prior filing, including discussion of file history and '287 Patent could have been present with Petition. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
24	• Improper legal conclusion. • Improper new argument and/or evidence that could have been presented in a prior filing, including discussion of '287 Patent and claim construction could have been presented with the Petition. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
25	• Improper new argument and/or evidence that could have been presented in a prior filing, including claim construction arguments that should have been presented with the Petition.

	TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
26	• Improper legal conclusion. • Improper new argument and/or evidence that could have been presented in a prior filing, including claim construction arguments that should have been presented with the Petition. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
27	• Improper new argument and/or evidence that could have been presented in a prior filing, including claim construction arguments that should have been presented with the Petition. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See*

	General Elec. Co. v. Joiner, 522 U.S. 136, 146 (1997); FRE 702, 703.
28	• Improper new argument and/or evidence that could have been presented in a prior filing, including claim construction arguments that should have been presented with the Petition. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
29	• Improper new argument and/or evidence that could have been presented in a prior filing, including new claim construction argument that contradicts prior testimony. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
30	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper new argument and/or evidence that could have been presented in a prior filing, including new invalidity arguments. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b).

	• Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
31	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
32	• Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
33	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3).

	• Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
34	• Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
35	• Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
36	• Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b).

	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
37	• Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
38	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper legal conclusion. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
39	• Improper new argument and/or evidence that could have been presented in a prior filing, including new invalidity argument. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b).

	• Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
40	• Improper new argument and/or evidence that could have been presented in a prior filing, including new invalidity and claim construction argument. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15.
41	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper new argument and/or evidence that could have been presented in a prior filing. Presents new evidence, including Ex. 1049. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
42	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper new argument and/or evidence that could have been presented in a prior filing, including new invalidity arguments, Ex. 1050, and related discussion. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15.

	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Lack of authentication, Ex. 1050. FRE 901, 902. • Hearsay, Ex. 1050. FRE 801-802.
43	• Improper new argument and/or evidence that could have been presented in a prior filing, including Exs. 1049 and 1050 and related discussion. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Lack of authentication, Exs. 1049, 1050. FRE 901, 902. • Hearsay, Exs. 1049, 1050. FRE 801-802.
44	• Improper new argument and/or evidence that could have been presented in a prior filing, including Exs. 1053 and 1055 and related discussion. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.

	• Lack of authentication, Exs. 1053 and 1055. FRE 901, 902. • Hearsay, Exs. 1053 and 1055. FRE 801-802.
45	• Lack of authentication, Exs. 1053 and 1055. FRE 901, 902. • Hearsay, Exs. 1053 and 1055. FRE 801-802. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
46	• Improper new argument and/or evidence that could have been presented in a prior filing, including Exs. 1049 and 1050 and related discussion. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Lack of authentication, Exs. 1049 and 1050. FRE 901, 902. • Hearsay, Exs. 1049 and 1050. FRE 801-802.
47	• Improper new argument and/or evidence that could have been presented in a prior filing, including Ex. 1049 and related discussion. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15 • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently

	based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703 • Lack of authentication, Ex. 1049. FRE 901, 902. • Hearsay, Ex. 1049. FRE 801-802.
49	• Improper new argument and/or evidence that could have been presented in a prior filing, including Exs. 1049, 1050, and 1055 and related discussion. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Lack of authentication, Exs. 1049, 1050, 1055. FRE 901, 902. • Hearsay, Exs. 1049, 1050, 1055. FRE 801-802.
50	• Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.

52	• Improper new argument and/or evidence that could have been presented in a prior filing, including Exs. 1049, 1050, 1054, and 1055, and related discussion. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Lack of authentication, Exs. 1049, 1050, 1054, and 1055. FRE 901, 902. • Hearsay, Exs. 1049, 1050, 1054, and 1055. FRE 801-802.
53	• Improper new argument and/or evidence that could have been presented in a prior filing, including new invalidity theory. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
54	• Improper legal conclusion. • Improper new argument and/or evidence that could have been presented in a prior filing, including discussion of Dutta. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b).

	• Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15 • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
55	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper reply evidence not directly responsive to Patent Owner's evidence. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
56	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper new argument and/or evidence that could have been presented in a prior filing, including new invalidity theory over Dutta. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
57	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3).

	• Improper new argument and/or evidence that could have been presented in a prior filing, including new invalidity argument. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
58	• Improper legal conclusion. • Improper new argument and/or evidence that could have been presented in a prior filing, including new invalidity argument. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15.
59	• Improper legal conclusion. • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper new argument and/or evidence that could have been presented in a prior filing, including a new invalidity theory. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b).

	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Improper new evidence. TPG at 48,767.
60	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
61	• Improper new argument and/or evidence that could have been presented in a prior filing, including Ex. 1056 and related discussion. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Lack of authentication, Ex. 1056. FRE 901, 902 • Hearsay, Ex. 1056. FRE 801-802.
62	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper new argument and/or evidence that could have been presented in a prior filing, including the discussion of Dutta, Haggquist, and Ex. 1005. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b).

	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
63	• Improper new argument and/or evidence that could have been presented in a prior filing, including the discussion of Dutta and Haggquist. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
64	• Improper new argument and/or evidence that could have been presented in a prior filing, including the discussion of Dutta and Haggquist. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
65	• Improper legal conclusion. • Improper new argument and/or evidence that could have been presented in a prior filing, including the discussion of Dutta and Haggquist and a new invalidity theory. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.

66	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper new argument and/or evidence that could have been presented in a prior filing. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
67	• Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper new argument and/or evidence that could have been presented in a prior filing, including the discussion of Haley. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
68	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper new argument and/or evidence that could have been presented in a prior filing, including the discussion of Halley. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15.

	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
69	• Improper new argument and/or evidence that could have been presented in a prior filing, including the discussion of Black Pearls 2000. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
70	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper new argument and/or evidence that could have been presented in a prior filing, including a new claim construction theory, new invalidity theory, and discussion of Black Pearls 2000. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
71	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3).

	• Improper new argument and/or evidence that could have been presented in a prior filing, including the discussion of Halley, Ex. 1051, and Black Pearls 2000. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Lack of authentication, Ex. 1051. FRE 901, 902 • Hearsay, Ex. 1051. FRE 801-802.
72	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
73	• Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
74	• Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently

	based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
75	• Improper legal conclusion. • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15.
76	• Improper legal conclusion. • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15.
77	• Improper new evidence. TPG at 48,767. • Improper new argument and/or evidence that could have been presented in a prior filing, including the discussion of Haggquist, Halley, Black Pearls 2000, and Ex. 1051. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Lack of authentication, Ex. 1051. FRE 901, 902. • Hearsay, Ex. 1051. FRE 801-802.
78	• Improper legal conclusion. • Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper new argument and/or evidence that could have been presented in a prior filing, including the discussion of Halley and Black Pearls 2000. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b).

	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
79	• Improper legal conclusion. • Improper incorporation by reference to Ex. 1005. 37 C.F.R. § 42.6(a)(3). • Improper reply evidence not directly responsive to Patent Owner's evidence. RTPG at 14-15. • Improper new argument and/or evidence that could have been presented in a prior filing, including the discussion of Halley and Black Pearls 2000. TPG at 48,767; RTPG at 14-15; 37 C.F.R. § 42.23(b), § 42.123(b). • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
80	• Improper legal conclusion. • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
82	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
85	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently

	based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Improper argument intended to circumvent word limit. *Cisco Systems, Inc. v. C-Cation Techs., LLC*, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
86	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.
87	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Improper argument intended to circumvent word limit. *Cisco Systems, Inc. v. C-Cation Techs., LLC*, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative).
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89	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See*

	General Elec. Co. v. Joiner, 522 U.S. 136, 146 (1997); FRE 702, 703. • Improper argument intended to circumvent word limit. *Cisco Systems, Inc. v. C-Cation Techs., LLC*, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative). • Lacks foundation.
90	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Improper argument intended to circumvent word limit. *Cisco Systems, Inc. v. C-Cation Techs., LLC*, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative). • Lacks foundation.
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96	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Improper argument intended to circumvent word limit. *Cisco Systems, Inc. v. C-Cation Techs., LLC*, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative). • Lacks foundation.
97	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Improper argument intended to circumvent word limit. *Cisco Systems, Inc. v. C-Cation Techs., LLC*, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative). • Lacks foundation.
98	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Improper argument intended to circumvent word limit. *Cisco Systems, Inc. v. C-Cation Techs., LLC*, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative). • Lacks foundation.
99	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.

	• Improper argument intended to circumvent word limit. *Cisco Systems, Inc. v. C-Cation Techs., LLC*, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative). • Lacks foundation.
100	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Improper argument intended to circumvent word limit. *Cisco Systems, Inc. v. C-Cation Techs., LLC*, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative). • Lacks foundation.
101	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Improper argument intended to circumvent word limit. *Cisco Systems, Inc. v. C-Cation Techs., LLC*, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative). • Lacks foundation.
102	• Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703. • Improper argument intended to circumvent word limit. *Cisco Systems, Inc. v. C-Cation Techs., LLC*, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative). • Lacks foundation.

103	• Improper legal conclusion. • Improper incorporation by reference of another document. 37 C.F.R. § 42.6(a)(3). • Improper speculative and conclusory expert opinion. Lacks foundation. Admissible expert opinions must be sufficiently based in fact, well-reasoned, and not speculative. *See General Elec. Co. v. Joiner*, 522 U.S. 136, 146 (1997); FRE 702, 703.

2. EXHIBIT 1045

Patent Owner objects to Exhibit 1045 to the extent any testimony cited by Petitioner from this exhibit was in response to objectionable questions for which objections were properly raised, asserted, and preserved. Patent Owner renews all such objections stated on the record.

3. EXHIBIT 1046

Patent Owner objects to Exhibit 1046 to the extent any testimony cited by Petitioner from this exhibit was in response to objectionable questions for which objections were properly raised, asserted, and preserved. Patent Owner renews all such objections stated on the record.

4. EXHIBIT 1047

Patent Owner objects to Exhibit 1047 to the extent any testimony cited by Petitioner from this exhibit was in response to objectionable questions for which

objections were properly raised, asserted, and preserved. Patent Owner renews all such objections stated on the record.

5. EXHIBIT 1048

Patent Owner objects to Exhibit 1048 to the extent any testimony cited by Petitioner from this exhibit was in response to objectionable questions for which objections were properly raised, asserted, and preserved. Patent Owner renews all such objections stated on the record.

6. EXHIBIT 1049

Patent Owner objects to Exhibit 1049 as improper new evidence, improper new argument and/or evidence that could have been presented in the Petition, and improper reply evidence that is not directly responsive to Patent Owner's evidence. *See* TPG at 48,767; RTPG at 14-15. Patent Owner further objects on the grounds that this exhibit has not been authenticated as required by FRE 901, 902. Patent Owner further objects to this exhibit as inadmissible hearsay. FRE 801, 802. Patent Owner further objects on the grounds that this exhibit lacks relevance under FRE 403.

7. EXHIBIT 1050

Patent Owner objects to Exhibit 1050 on as improper new evidence, improper new argument and/or evidence that could have been presented in the

Petition, and improper reply evidence that is not directly responsive to Patent Owner's evidence. *See* TPG at 48,767; RTPG at 14-15. Patent Owner further objects on the grounds that this exhibit has not been authenticated as required by FRE 901, 902. Patent Owner further objects to this exhibit as inadmissible hearsay. FRE 801, 802. Patent Owner further objects on the grounds that this exhibit lacks relevance under FRE 403.

8. EXHIBIT 1051

Patent Owner objects to Exhibit 1051 on as improper new evidence, improper new argument and/or evidence that could have been presented in the Petition, and improper reply evidence that is not directly responsive to Patent Owner's evidence. *See* TPG at 48,767; RTPG at 14-15. Patent Owner further objects on the grounds that this exhibit has not been authenticated as required by FRE 901, 902. Patent Owner further objects to this exhibit as inadmissible hearsay. FRE 801, 802. Patent Owner further objects on the grounds that this exhibit lacks relevance under FRE 403.

9. EXHIBIT 1052

Patent Owner objects to Exhibit 1052 as improper new evidence, improper new argument and/or evidence that could have been presented in the Petition, and improper reply evidence that is not directly responsive to Patent Owner's evidence.

See TPG at 48,767; RTPG at 14-15. Patent Owner further objects on the grounds that this exhibit lacks relevance under FRE 403.

10. EXHIBIT 1053

Patent Owner objects to Exhibit 1053 as improper new evidence, improper new argument and/or evidence that could have been presented in the Petition, and improper reply evidence that is not directly responsive to Patent Owner's evidence. *See* TPG at 48,767; RTPG at 14-15. Patent Owner further objects on the grounds that this exhibit has not been authenticated as required by FRE 901, 902. Patent Owner further objects to this exhibit as inadmissible hearsay. FRE 801, 802. Patent Owner further objects on the grounds that this exhibit lacks relevance under FRE 403.

11. EXHIBIT 1054

Patent Owner objects to Exhibit 1054. This exhibit is not cited in the Petitioner's Reply. Arguments that are not developed and presented in the Petitioner's papers are not entitled to consideration by the Board. *See Cisco Sys., Inc. v. C-Cation Techs., LLC*, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative). Patent Owner further objects to this exhibit on as improper new evidence, improper new argument and/or evidence that could have been presented in the Petition, and improper reply evidence that is not directly responsive to Patent

Owner's evidence. *See* TPG at 48,767; RTPG at 14-15. Patent Owner further objects on the grounds that this exhibit has not been authenticated as required by FRE 901, 902. Patent Owner further objects to this exhibit as inadmissible hearsay. FRE 801, 802. Patent Owner further objects on the grounds that this exhibit lacks relevance under FRE 403.

12. EXHIBIT 1055

Patent Owner objects to Exhibit 1055 as improper new evidence, improper new argument and/or evidence that could have been presented in the Petition, and improper reply evidence that is not directly responsive to Patent Owner's evidence. *See* TPG at 48,767; RTPG at 14-15. Patent Owner further objects on the grounds that this exhibit has not been authenticated as required by FRE 901, 902. Patent Owner further objects to this exhibit as inadmissible hearsay. FRE 801, 802. Patent Owner further objects on the grounds that this exhibit lacks relevance under FRE 403.

13. EXHIBIT 1056

Patent Owner objects to Exhibit 1056. This exhibit is not cited in the Petitioner's Reply. Arguments that are not developed and presented in the Petitioner's papers are not entitled to consideration by the Board. *See Cisco Sys., Inc. v. C-Cation Techs., LLC*, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper

12) (informative). Patent Owner further objects to this exhibit on as improper new evidence, improper new argument and/or evidence that could have been presented in the Petition, and improper reply evidence that is not directly responsive to Patent Owner's evidence. *See* TPG at 48,767; RTPG at 14-15. Patent Owner further objects on the grounds that this exhibit has not been authenticated as required by FRE 901, 902. Patent Owner further objects to this exhibit as inadmissible hearsay. FRE 801, 802. Patent Owner further objects on the grounds that this exhibit lacks relevance under FRE 403.

14. EXHIBIT 1057

Patent Owner objects to Exhibit 1057. This exhibit is not cited in the Petitioner's Reply. Arguments that are not developed and presented in the Petitioner's papers are not entitled to consideration by the Board. *See Cisco Sys., Inc. v. C-Cation Techs., LLC*, Case IPR2014-00454 (PTAB Aug. 29, 2014) (Paper 12) (informative). Patent Owner further objects to this exhibit on as improper new evidence, improper new argument and/or evidence that could have been presented in the Petition, and improper reply evidence that is not directly responsive to Patent Owner's evidence. *See* TPG at 48,767; RTPG at 14-15. Patent Owner further objects on the grounds that this exhibit has not been authenticated as required by FRE 901, 902. Patent Owner further objects to this exhibit as inadmissible

hearsay. FRE 801, 802. Patent Owner further objects on the grounds that this exhibit lacks relevance under FRE 403.

15. EXHIBIT 1059

Patent Owner incorporates by reference its objections to Exhibits 1049-1057. With respect to Exhibits 1049-1057, the declarant lacks foundation as required by FRE 901 to sufficiently authenticate those documents, and the documents referenced are not self-authenticating under FRE 902. The declarant also lacks personal knowledge sufficient to authenticate the documents under Fed. R. Civ. 602. The declarant also offers improper legal conclusions regarding the issue of authentication.

Dated: January 18, 2019

/Jason S. Jackson/
Jason S. Jackson
Reg. No. 56,733
Counsel for Patent Owner

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the following counsel for Petitioner:

Peter A. Gergely
PGergely@merchantgould.com

Kathleen Ott
kott@merchantgould.com

Date: January 18, 2019

/Jason S. Jackson/
Jason S. Jackson