

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SZ DJI TECHNOLOGY CO., LTD.,
Petitioner

v.

AUTEL ROBOTICS USA LLC,
Patent Owner

IPR2019-00846
U.S. Patent No. 9,260,184

**PETITIONER'S OBJECTIONS TO PATENT OWNER'S EVIDENCE
PURSUANT TO 37 C.F.R. § 42.64(b)(1)**

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Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Petitioner, SZ DJI Technology Co. Ltd., objects to the admissibility of the following evidence submitted by Patent Owner Autel Robotics USA LLC. 37 C.F.R. § 42.64(b)(1). These objections are being timely filed within 5 business days after service of the evidence. Petitioner asks the Patent Trial and Appeal Board to deny the admission and consideration of the following documents on the following bases:

Exhibit 2007 – Second Declaration of Dr. Charles F. Reinholtz

Petitioner objects to the Second Reinholtz Declaration to the extent it incorporates by reference inadmissible portions of Exhibit 2001. These portions are inadmissible for the same reasons that Petitioner previously explained in Petitioner’s objections of January 17, 2020 (Paper 11) in objecting to Exhibit 2001.

Petitioner objects to the Second Reinholtz Declaration to the extent it relies (directly or via incorporation by reference of Exhibit 2001) on Exhibits 2001, 2005, 2006, 2009, and 2011, including ¶¶44, because those references are inadmissible under FRE 401, 402, 403, 801, and 802, as discussed below or in Petitioner’s timely-filed objections of January 17, 2020 (Paper 11), and/or are inadmissible as not qualified to be the basis for an expert opinion under FRE 703. Therefore, these portions of the Second Reinholtz Declaration are inadmissible under FRE 702 and FRE 703.

Exhibit 2009 –Declaration of Dr. Charles F. Reinholtz in IPR2019-00343

Petitioner objects to the Reinholtz Declaration in IPR2019-00343 to the extent it relies on exhibits not in evidence in this proceeding and/or not otherwise admissible. Therefore, these portions of the Reinholtz Declaration in IPR2019-00343 are inadmissible under FRE 702 and FRE 703.

Exhibit 2011 – Excerpts of Initial Determination in 337-TA-1133

Petitioner objects to this document as irrelevant under FRE 401 and 402 because it does not tend to make any fact more or less probable. Petitioner also objects to this document under FRE 403 because its probative value is substantially outweighed by a danger of unfair prejudice and confusing the issues.

Respectfully submitted,

/Steven W. Peters/

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Date: May 22, 2020

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **PETITIONER'S
OBJECTIONS TO PATENT OWNER'S EVIDENCE** was served via electronic
mail on May 22, 2020, in its entirety on the following:

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