

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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RESIDEO TECHNOLOGIES, INC. and  
CENTRAL SECURITY GROUP – NATIONWIDE, INC.,<sup>1</sup>  
Petitioners

v.

UBIQUITOUS CONNECTIVITY, LP,  
Patent Owner.

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Case: IPR2019-01335 & IPR2019-01609  
U.S. Patent No. 8,064,935

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**PETITIONERS' NOTICE OF OBJECTIONS TO EVIDENCE**

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<sup>1</sup> Central Security Group – Nationwide, Inc., who filed a petition in IPR2019-01609, has been joined as a petitioner in this proceeding.

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioners Resideo Technologies, Inc. and Central Security Group – Nationwide, Inc. (collectively, “Petitioners”), hereby submit their notice of objections to certain evidence that Patent Owner, Ubiquitous Technologies, LP (“Ubiquitous”), submitted with its Patent Owner Response dated May 18, 2020, in connection with the above-captioned IPR proceedings.

Petitioner objects to the following items:

1. Petitioner objects to Exhibit 2004 (titled “Declaration of Ivan Zatkovich in Support of Patent Owner’s Preliminary Response”) under Fed. R. Evid. 401-403 (relevance; more prejudicial than probative; confusing or misleading) and Fed. R. Evid. 702 (unreliable testimony of expert witness). For example, at least paragraphs 24-28, contain information that is not relevant, is confusing, and is more prejudicial than probative. Further, the opinions contained in at least paragraphs 31-195 are conclusory, lack sufficient explanation, are not based on sufficient facts or data, and/or are not the product of reliable principles and methods reliably applied to the facts of this case.

2. Petitioner also objects to Exhibits 2006-2007 under Fed. R. Evid. 901 (failure to authenticate) and under Fed. R. Evid. 401-403 (relevance; more prejudicial than probative; confusing or misleading). Patent Owner has failed to produce evidence sufficient to support a finding that each item is what Patent Owner claims it is. To the extent that Patent Owner relies on these exhibits or any part

thereof to support any argument, the exhibits are unreliable due to their lack of authentication and because these items are incomplete.

3. Petitioner also objects to Exhibits 2008-2009 under Fed. R. Evid. 802 (hearsay), Fed. R. Evid. 901 (failure to authenticate), and under Fed. R. Evid. 401-403 (relevance; more prejudicial than probative; confusing or misleading). Exhibits 2008-2009 contain out-of-court statements offered for the truth of the matter asserted and are inadmissible hearsay. Further, Patent Owner has failed to produce evidence sufficient to support a finding that each item is what Patent Owner claims it is. Finally, Patent Owner's Response does not cite or otherwise appear to rely on these exhibits. Accordingly, each of these exhibits is irrelevant, prejudicial, confusing, and/or a waste of time.

4. Petitioner also objects to Exhibits 2010-2014 under Fed. R. Evid. 802 (hearsay), Fed. R. Evid. 901 (failure to authenticate), and under Fed. R. Evid. 401-403 (relevance; more prejudicial than probative; confusing or misleading). Exhibits 2010-2014 contain out of court statements that are offered for the truth of the matter asserted. Further, Patent Owner has failed to produce evidence sufficient to support a finding that each item is what Patent Owner claims it is. Finally, to the extent that Patent Owner relies on Exhibits 2010-2014 or any part thereof to support any argument, the exhibits are not relevant because they do not include any statements

regarding the patent at issue or the references, and are unreliable due to their lack of authentication and completeness.

Dated: May 26, 2020

Respectfully submitted,

/S. Benjamin Pleune/

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing  
PETITIONERS' NOTICE OF OBJECTIONS TO EVIDENCE was served  
electronically on May 26, 2020 on counsel of record for Patent Owner as follows:

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May 26, 2020  
Date

By /S. Benjamin Pleune/  
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