

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.

Petitioner

v.

MAXELL, LTD.

Patent Owner

Case No. IPR2020-00200

U.S. Patent No. 10,084,991 B2

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

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Apple Inc. (“Petitioner”) submits the following objections to evidence that Maxell Inc., (“Patent Owner”) served in its Patent Owner Response. These objections are timely filed and served within five business days of Patent Owner’s October 7, 2020 Patent Owner Response.

Evidence	Objections
Exhibit 2022	<p>FRE 401, 402, & 403: Petitioner objects to this evidence as irrelevant and because its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, and wasting time, given that Patent Owner has not cited this exhibit nor relied on it in any of its briefing.</p> <p>FRE 801 & 802: Petitioner objects to this exhibit as constituting hearsay under FRE 801 that is inadmissible under FRE 802.</p>

Respectfully submitted,

ERISE IP, P.A.

BY: /s/ Jennifer C. Bailey
 Jennifer C. Bailey Reg. No. 52,583
 Adam P. Seitz, Reg. No. 52,206
 7015 College Blvd., Suite 700
 Overland Park, KS 66211
 P: (913) 777-5600
 F: (913) 777-5601
 jennifer.bailey@eriseip.com

adam.seitz@eriseip.com

Paul R. Hart, Reg. No. 59,646
5299 DTC Blvd.
Suite 1340
Greenwood Village, CO 80111
P: (913) 777-5600
F: (913) 777-5601
paul.hart@eriseip.com

ATTORNEYS FOR PETITIONER
APPLE INC.

CERTIFICATE OF SERVICE ON PATENT OWNER
UNDER 37 C.F.R. § 42.6

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on October 14, 2020 the foregoing *Petitioner Apple Inc.'s Objections To Evidence Pursuant To 37 C.F.R. § 42.64(b)(1)* was served via electronic filing with the Board and via Electronic Mail on the following practitioners of record for Patent Owner:

Robert G. Pluta (rpluta@mayerbrown.com)
Maxell-Apple-Service@mayerbrown.com

/s/ Jennifer C. Bailey _____

Jennifer C. Bailey Reg. No. 52,583

ATTORNEY FOR PETITIONER