

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, Ltd. (“Patent Owner”) served in its Patent Owner Sur-Reply (Paper 22). These objections are timely filed and served within five business days of Patent Owner’s February 10, 2021, Patent Owner Response.

Evidence	Objections
Exhibit 2024 Exhibit 2025 Exhibit 2026 Exhibit 2027 Exhibit 2028 Exhibit 2029 Exhibit 2030 Exhibit 2031	<p>FRE 401, 402, and 403: Petitioner objects to this evidence on the grounds that it is irrelevant and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, and wasting time.</p> <p>FRE 901 and 902: Petitioner objects to this evidence on the grounds that it is lacking authentication under Federal Rules of Evidence (“FRE”) 901 because sufficient evidence has not been provided to establish their authenticity or dates prior to the critical date of the ’991 Patent. Patent Owner has not submitted evidence to authenticate these exhibits or to otherwise establish that they are what Patent Owner claims them to be.</p>
Exhibit 2023, Specifically Portions of Ex. 2023 that rely on Exs. 2024–2031 (e.g., ¶¶ 7–10)	<p>FRE 401, 402, and 403: Petitioner objects to this evidence on the grounds that it is irrelevant and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, and wasting time.</p>

Respectfully submitted,

ERISE IP, P.A.

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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 February 17, 2021 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:

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/s/ Jennifer C. Bailey

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ATTORNEY FOR PETITIONER