

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

_____)	
EVOLVED WIRELESS, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 15-542-JFB-SRF
)	
APPLE INC.,)	
)	
Defendant.)	
_____)	
EVOLVED WIRELESS, LLC,)	
)	
Plaintiff,)	
)	
v.)	
)	C.A. No. 15-545-JFB-SRF
SAMSUNG ELECTRONICS CO., LTD.)	
and SAMSUNG ELECTRONICS)	
AMERICA, INC.,)	
)	
Defendants.)	
_____)	

PLAINTIFF EVOLVED WIRELESS, LLC’S MOTIONS *IN LIMINE*

Plaintiff Evolved Wireless, LLC hereby moves the Court in the above-captioned cases (unless otherwise noted) to grant the following motions *in limine*:

1. Motion *in Limine* No. 1 to Exclude Evidence and Argument Related to Sales of Unaccused Products or Accused Products Outside the United States;
2. Motion *in Limine* No. 2 to Exclude Evidence and Argument Related to Alleged Royalty Stacking;
3. Motion *in Limine* No. 3 to Exclude Evidence and Argument Related to Defendants Being “Locked-In” or to “Patent Hold-Up;”

4. Motion *in Limine* No. 4 to Exclude Evidence and Argument Related to a Lump Sum Damages Award That Would Provide Unfettered Rights to Practice the Asserted Patents;
5. Motion *in Limine* No. 5 to Exclude Evidence and Argument Related to a Potential Injunction;
6. Motion *in Limine* No. 6 to Exclude Evidence and Argument Related to Patent Trial and Appeal Board Final Written Decisions;
7. Motion *in Limine* No. 7 to Exclude Redacted Versions of any LGE/Qualcomm Agreements;
8. Motion *in Limine* No. 8 to Exclude Evidence and Argument Related to U.S. Patent No. 8,219,097;
9. Motion *in Limine* No. 9 to Exclude any Non-Produced Evidence and Argument Regarding Licenses or License Negotiations;
10. Motion *in Limine* No. 10 to Exclude Evidence and Argument Related to Defendants' Own Specific Patents Related to LTE Technology;
11. Motion *in Limine* No. 11 to Exclude Evidence and Argument that Qualcomm Is or Should Be the Correct Defendant; and
12. Motion *in Limine* No. 12 to Exclude Evidence and Argument Referring to Evolved Wireless with Pejorative, Derogative, or Negative Terms.

Evolved Wireless, LLC additionally moves the Court, in C.A. No. 15-542 only, to grant the following motion *in limine*:

Exclude Evidence and Argument Related to Damages Allegedly Suffered as a Result of Evolved Wireless's Alleged Breach of "FRAND" Obligations.

Evolved Wireless, LLC additionally moves the Court, in C.A. No. 15-545 only, to grant the following motion *in limine*:

Exclude any Evidence from Fact Witnesses Regarding the Operation of Qualcomm's Source Code in the LTE Chipset.

Pursuant to the pretrial order (D.I. 399, 400) and the Court's oral order during the August 28, 2018 hearing, the grounds for these Motions *in Limine* will be set forth in Plaintiff's opening briefing filed concurrently with these Motions.¹

Dated: August 30, 2018

Respectfully submitted,

FARNAN LLP

/s/ Brian E. Farnan

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¹ For avoidance of any confusion, pursuant to the parties' stipulation as entered by the Court (D.I. 399, 400), one brief will be filed in both matters regarding Joint Motions *in Limine* 1-12 and separate briefs will be filed in C.A. No. 15-542 and C.A. No. 15-545 regarding those motions addressed to the individual Defendants.

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