

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS AMERICA, INC. and
SMASUNG ELECTRONICS CO., LTD.,
Petitioner

v.

SMARTFLASH LLC,
Patent Owner.

Case CBM2014-00199
Patent 8,118,221 B2

PATENT OWNER'S OBJECTIONS TO ADMISSIBILITY OF EVIDENCE

Smartflash - Exhibit 2098

Pursuant to 37 C.F.R. § 42.64, Patent Owner hereby objects to the admissibility of certain evidence submitted with Petitioner's petition ("the Petition"). Patent Owner's objections are based on the Federal Rules of Evidence and the Board Rules and are set forth with particularity below.

Exhibit 1003 (Declaration of Dr. Jeffrey Bloom re the '221 Patent)

Patent Owner objects to all paragraphs in Exhibit 1003, Declaration of Dr. Jeffrey Bloom re the '221 Patent ("the Bloom Declaration"), under Fed. R. Evid. 401 to the extent that they are not directed to the issue of unpatentability of claims 2 and 11 under 35 U.S.C. 102 over Ginter -- the only issue in the current proceedings. As such, for example, the relevance of the portion of paragraph 23 starting with "In more detail," until the end is objected to. Fed. R. Evid. 401. Being irrelevant evidence, those paragraphs are not admissible. Fed. R. Evid. 402. Similarly, the relevance of the portion of paragraph 24 starting with "That the '221 Patent," until the end is objected to. Fed. R. Evid. 401. Being irrelevant evidence, those paragraphs are not admissible. Fed. R. Evid. 402.

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In addition, the Patent Owner objects to Exhibit 1003 under 37 CFR 42.65 in its entirety as it does not set forth the relative evidentiary weight (e.g., substantial evidence versus preponderance of the evidence) Dr. Bloom used in arriving at his conclusions.

Dated: April 13, 2015

/ Michael R. Casey /

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that this PATENT OWNER'S OBJECTIONS TO
ADMISSIBILITY OF EVIDENCE in CBM2014-00199 was served April 13, 2015, by
agreement of the parties, by emailing a copy to counsel for the Petitioner as follows:

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Dated: April 13, 2015

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