

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC., EVENTBRITE INC., STARWOOD HOTELS & RESORTS
WORLDWIDE, INC., EXPEDIA, INC., FANDANGO, LLC,
HOTELS.COM, L.P., HOTEL TONIGHT, INC., HOTWIRE, INC.,
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NATION ENTERTAINMENT, INC., TRAVELOCITY.COM LP,
WANDERSPOT LLC, AGILYSYS, INC., DOMINO'S PIZZA, INC.,
DOMINO'S PIZZA, LLC, HILKTON RESORTS CORPORATION,
HILTON WORLDWIDE, INC., HILTON INTERNATIONAL CO., MOBO
SYSTEMS, INC., PIZZA HUT OF AMERICA, INC., PIZZA HUT, INC.,
and USABLENET, INC.,
Petitioner

v.

AMERANTH, INC.,

Patent Owner.

Case CBM CBM2015-00080¹
Patent 6,384,850

**PETITIONER'S OBJECTIONS TO EXHIBITS SUBMITTED WITH
PATENT OWNER'S RESPONSE**

¹ CBM2015-00096 has been consolidated with this proceeding.

Per 37 C.F.R. § 42.64, Petitioner hereby objects to exhibits submitted by Patent Owner with its Response, exhibits designated by Patent Owner as Exhibit Nos. 2021-2023 and 2025-2056.

The ground for objection are as follows:

Patent Owner Exhibit No.	Grounds for Objection
Exhibits 2021	<p>Authentication. Fed. R. Evid. 901(a). Patent Owner has not produced evidence sufficient to support a finding that this exhibit is a true and correct copy of what Patent Owner purports it to be.</p> <p>Hearsay. Fed. R. Evid. 801(c). To the extent Patent Owner relies on this exhibit to prove the truth of matters described therein, the statements are hearsay. Patent Owner has not offered evidence sufficient to demonstrate that the exhibit falls within any exceptions to the rule against hearsay.</p>
Exhibit 2022	<p>Authentication. Fed. R. Evid. 901(a). Patent Owner has not produced evidence sufficient to support a finding that this exhibit is a true and correct copy of what Patent Owner purports it to be.</p>
Exhibit 2023	<p>Authentication. Fed. R. Evid. 901(a). Patent Owner has not produced evidence sufficient to support a finding that this exhibit is a true and correct copy of what Patent Owner purports it to be.</p> <p>Hearsay. Fed. R. Evid. 801(c). To the extent Patent Owner relies on this exhibit to prove the truth of matters described therein, the statements are hearsay. Patent Owner has not offered evidence sufficient to demonstrate that the exhibit falls within any exceptions to the rule against hearsay.</p>
Exhibit 2025	<p>Authentication. Fed. R. Evid. 901(a). Patent Owner has not produced evidence sufficient to support a finding that this exhibit is a true and correct copy of what Patent Owner purports it to be.</p>

	<p>Hearsay. Fed. R. Evid. 801(c). To the extent Patent Owner relies on this exhibit to prove the truth of matters described therein, the statements are hearsay. Patent Owner has not offered evidence sufficient to demonstrate that the exhibit falls within any exceptions to the rule against hearsay.</p>
Exhibit 2026	<p>Authentication. Fed. R. Evid. 901(a). Patent Owner has not produced evidence sufficient to support a finding that this exhibit is a true and correct copy of what Patent Owner purports it to be.</p> <p>Hearsay. Fed. R. Evid. 801(c). To the extent Patent Owner relies on this exhibit to prove the truth of matters described therein, the statements are hearsay. Patent Owner has not offered evidence sufficient to demonstrate that the exhibit falls within any exceptions to the rule against hearsay.</p>
Exhibit 2027	<p>Authentication. Fed. R. Evid. 901(a). Patent Owner has not produced evidence sufficient to support a finding that this exhibit is a true and correct copy of what Patent Owner purports it to be.</p> <p>Hearsay. Fed. R. Evid. 801(c). To the extent Patent Owner relies on this exhibit to prove the truth of matters described therein, the statements are hearsay. Patent Owner has not offered evidence sufficient to demonstrate that the exhibit falls within any exceptions to the rule against hearsay.</p>
Exhibit 2028	<p>Authentication. Fed. R. Evid. 901(a). Patent Owner has not produced evidence sufficient to support a finding that this exhibit is a true and correct copy of what Patent Owner purports it to be.</p> <p>Hearsay. Fed. R. Evid. 801(c). To the extent Patent Owner relies on this exhibit to prove the truth of matters described therein, the statements are hearsay. Patent Owner has not offered evidence sufficient to demonstrate that the exhibit falls within any exceptions to the rule against hearsay.</p>

Exhibit 2029	<p>Authentication. Fed. R. Evid. 901(a). Patent Owner has not produced evidence sufficient to support a finding that this exhibit is a true and correct copy of what Patent Owner purports it to be.</p> <p>Hearsay. Fed. R. Evid. 801(c). To the extent Patent Owner relies on this exhibit to prove the truth of matters described therein, the statements are hearsay. Patent Owner has not offered evidence sufficient to demonstrate that the exhibit falls within any exceptions to the rule against hearsay.</p>
Exhibit 2030	<p>Authentication. Fed. R. Evid. 901(a). Patent Owner has not produced evidence sufficient to support a finding that this exhibit is a true and correct copy of what Patent Owner purports it to be.</p> <p>Hearsay. Fed. R. Evid. 801(c). To the extent Patent Owner relies on this exhibit to prove the truth of matters described therein, the statements are hearsay. Patent Owner has not offered evidence sufficient to demonstrate that the exhibit falls within any exceptions to the rule against hearsay.</p>
Exhibit 2031	<p>Hearsay. Fed. R. Evid. 801(c). To the extent Patent Owner relies on this exhibit to prove the truth of matters described therein, the statements are hearsay. Patent Owner has not offered evidence sufficient to demonstrate that the exhibit falls within any exceptions to the rule against hearsay.</p>
Exhibit 2032	<p>Authentication. Fed. R. Evid. 901(a). Patent Owner has not produced evidence sufficient to support a finding that this exhibit is a true and correct copy of what Patent Owner purports it to be.</p> <p>Hearsay. Fed. R. Evid. 801(c). To the extent Patent Owner relies on this exhibit to prove the truth of matters described therein, the statements are hearsay. Patent Owner has not offered evidence sufficient to demonstrate that the exhibit falls within any exceptions to the rule against hearsay.</p>
Exhibit 2033	<p>Authentication. Fed. R. Evid. 901(a). Patent Owner has</p>

	<p>not produced evidence sufficient to support a finding that this exhibit is a true and correct copy of what Patent Owner purports it to be.</p> <p>Hearsay. Fed. R. Evid. 801(c). To the extent Patent Owner relies on this exhibit to prove the truth of matters described therein, the statements are hearsay. Patent Owner has not offered evidence sufficient to demonstrate that the exhibit falls within any exceptions to the rule against hearsay.</p>
Exhibit 2034	<p>Authentication. Fed. R. Evid. 901(a). Patent Owner has not produced evidence sufficient to support a finding that this exhibit is a true and correct copy of what Patent Owner purports it to be.</p> <p>Hearsay. Fed. R. Evid. 801(c). To the extent Patent Owner relies on this exhibit to prove the truth of matters described therein, the statements are hearsay. Patent Owner has not offered evidence sufficient to demonstrate that the exhibit falls within any exceptions to the rule against hearsay.</p>
Exhibit 2035	<p>Authentication. Fed. R. Evid. 901(a). Patent Owner has not produced evidence sufficient to support a finding that this exhibit is a true and correct copy of what Patent Owner purports it to be.</p> <p>Hearsay. Fed. R. Evid. 801(c). To the extent Patent Owner relies on this exhibit to prove the truth of matters described therein, the statements are hearsay. Patent Owner has not offered evidence sufficient to demonstrate that the exhibit falls within any exceptions to the rule against hearsay.</p>
Exhibit 2036	<p>Relevance. Fed. R. Evid. 401-403. This exhibit is not relevant to any issue in this CBM proceeding, and any probative value of the exhibit is substantially outweighed by unfair prejudice and a waste of time, particularly because it is not cited in Patent Owner's Response.</p>
Exhibit 2037	<p>Relevance. Fed. R. Evid. 401-403. This exhibit is not relevant to any issue in this CBM proceeding, and any probative value of the exhibit is substantially outweighed</p>

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