

Paper No. \_\_\_\_\_

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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XILINX, INC, Petitioner

v.

Patent of INTELLECTUAL VENTURES MANAGEMENT, LLC,  
Patent Owner.

Patent No. 5,632,545

Issue Date: May 27, 1997

Title: ENHANCED VIDEO PROJECTION SYSTEM

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*Inter Partes* Review No. IPR2013-00029

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XILINX OPPOSITION TO IV MOTION TO EXCLUDE PORTIONS OF  
DR. BUCKMAN'S TESTIMONY

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## **I. Introduction**

Under Rule 702, courts play a “gatekeeping” role in determining whether expert testimony is admissible. *Daubert v. Merrell Dow Pharms.*, 509 U.S. 579, 597 (1993). In fulfilling this gatekeeping role, courts protect the integrity of the judicial system—especially juries—from baseless, speculative, or wholly unqualified witness testimony. But this gatekeeping role is a part of, not a substitute for, the adversary process. Thus, in applying Rule 702, courts consider and expert’s qualifications “liberally” and do not evaluate the evidence beyond Rule 702’s minimum admissibility/reliability threshold. The gatekeeping process specifically reserves any remaining issues for the finder-of-fact to consider in the decision-making process. Such issues are said to “go to weight, not admissibility.”

Xilinx’s expert, Dr. A. Bruce Buckman, Ph.D., is a former professor of electrical engineering at the University of Texas with over forty years of experience. He specializes in optical systems, such as those used in the ’545 patent, and is the author of a graduate-level text on optics. But notwithstanding his credentials, IV asserts that Dr. Buckman is “unqualified” to offer the opinions in XLNX-1012 and XLNX-1013<sup>1</sup> because he does not specialize in “video projection” or “liquid crystal display” technology. [Paper No. 35] As explained

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<sup>1</sup> IV has not requested exclusion of XLNX-1006, XLNX-1021 or any of Dr. Buckman’s deposition testimony in this matter.

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