

Filed on behalf of Innovative Display Technologies, LLC
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG DISPLAY CO., LTD, and
LG ELECTRONICS, INC.,
Petitioner,

v.

INNOVATIVE DISPLAY TECHNOLOGIES, LLC,
Patent Owner.

Case IPR2014-01096¹
U.S. Patent No. 7,537,370

**PATENT OWNER'S OBJECTIONS TO PETITIONER'S
DEMONSTRATIVES**

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¹ Case IPR2015-00493 has been joined with this proceeding.

Pursuant to the Board's Revised Order of September 15, 2015, Paper 36, Patent Owner Innovative Display Technologies, LLC ("Patent Owner" or "IDT") files these objections to Petitioner's oral argument demonstratives served by Petitioner on September 10, 2015.

Objection No. 1 (to Petitioner's Demonstrative Slide 9)

Patent Owner objects to Slide 9 on the grounds that it includes arguments from Petitioner that are untimely, prejudicial to Patent Owner, and not of record in this proceeding. The Petitioner belatedly cites to a portion of the transcript of the deposition of Patent Owner's Expert, Kenneth Werner, (Ex. 1020, at 106:18-21), that was not cited in its Petition or in its Reply. This argument is made for the first time in Petitioner's demonstratives.

Objection No. 2 (to Petitioner's Demonstrative Slide 10)

Patent Owner objects to Slide 10 on the grounds that it includes arguments from Petitioner that are untimely, prejudicial to Patent Owner, and not of record in this proceeding. The Petitioner belatedly cites to a portion of the transcript of the deposition of Patent Owner's Expert, Kenneth Werner, (Ex. 1020, at 106:22-25), that was not cited in its Petition or in its Reply. This argument is made for the first time in Petitioner's demonstratives.

Objection No. 3 (to Petitioner's Demonstrative Slide 11)

Patent Owner objects to Slide 11 on the grounds that it includes arguments from Petitioner that are untimely, prejudicial to Patent Owner, and not of record in this proceeding. The Petitioner belatedly cites to a portion of the transcript of the deposition of Patent Owner's Expert, Kenneth Werner, (Ex. 1020, at 107:7-12), that was not cited in its Petition or in its Reply. This argument is made for the first time in Petitioner's demonstratives.

Objection No. 4 (to Petitioner's Demonstrative Slide 12)

Patent Owner objects to Slide 12 on the grounds that it includes arguments from Petitioner that are untimely, prejudicial to Patent Owner, and not of record in this proceeding. The Petitioner belatedly cites to a portion of the transcript of the deposition of Patent Owner's Expert, Kenneth Werner, (Ex. 1020, at 107:13-18), that was not cited in its Petition or in its Reply. This argument is made for the first time in Petitioner's demonstratives.

Objection No. 5 (to Petitioner's Demonstrative Slide 13)

Patent Owner objects to Slide 13 on the grounds that it includes arguments from Petitioner that are untimely, prejudicial to Patent Owner, and not of record in this proceeding. The Petitioner belatedly cites to a portion of the transcript of the deposition of Patent Owner's Expert, Kenneth Werner, (Ex. 1020, at 108:6-10),

that was not cited in its Petition or in its Reply. This argument is made for the first time in Petitioner's demonstratives.

Objection No. 6 (to Petitioner's Demonstrative Slide 14)

Patent Owner objects to Slide 14 on the grounds that it includes arguments from Petitioner that are untimely, prejudicial to Patent Owner, and not of record in this proceeding. The Petitioner belatedly cites to a portion of the transcript of the deposition of Patent Owner's Expert, Kenneth Werner, (Ex. 1020, at 108:11-24), that was not cited in its Petition or in its Reply. This argument is made for the first time in Petitioner's demonstratives.

Objection No. 7 (to Petitioner's Demonstrative Slide 15)

Patent Owner objects to Slide 15 on the grounds that it includes arguments from Petitioner that are untimely, prejudicial to Patent Owner, and not of record in this proceeding. The Petitioner belatedly cites to a portion of the transcript of the deposition of Patent Owner's Expert, Kenneth Werner, (Ex. 1020, at 108:25-109:4), that was not cited in its Petition or in its Reply. This argument is made for the first time in Petitioner's demonstratives.

Objection No. 8 (to Petitioner's Demonstrative Slide 18)

Patent Owner objects to Slide 18 on the grounds that it includes arguments from Petitioner that are untimely, prejudicial to Patent Owner, and not of record in this proceeding. The Petitioner belatedly cites to a portion of the transcript of the

deposition of Patent Owner's Expert, Kenneth Werner, (Ex. 1020, at 113:25-114:5), that was not cited in its Petition or in its Reply. This argument is made for the first time in Petitioner's demonstratives.

Objection No. 9 (to Petitioner's Demonstrative Slide 22)

Patent Owner objects to Slide 22 on the basis that it includes new arguments from the Reply that could have been made in the Petition. *See* 37 C.F.R. § 42.23; *Office Patent Trial Practice Guide*, 77 Fed. Reg. 48612, 48620, col. 2 (Aug. 14, 2012) ("Reply evidence, however, must be responsive and not merely new evidence that could have been presented earlier to support the movant's motion."). The Petitioner cites to a portion of the transcript of the deposition of Petitioner's expert, Michael Escuti, (Ex. 1021 at 108:12-21), which contains the new argument. Further, the Petitioner belatedly cites to a portion of the deposition (Ex. 1021 at 108:12-18) that was not cited in the Reply.

Objection No. 10 (to Petitioner's Demonstrative Slide 23)

Patent Owner objects to Slide 23 on the grounds that it includes arguments from Petitioner that are untimely, prejudicial to Patent Owner, and not of record in this proceeding. The Petitioner belatedly cites to a portion of the transcript of the deposition of Petitioner's Expert, Michael Escuti, (Ex. 1021 at 105:8-14) that was not cited in its Petition or in its Reply. This argument is made for the first time in Petitioner's demonstratives.

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