

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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QUALCOMM INC.,  
Petitioner

v.

BANDSPEED, INC.  
Patent Owner

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IPR2015-00316<sup>1</sup>  
U.S. Patent No. 7,477,624 B2

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**PATENT OWNER'S OBJECTIONS TO EVIDENCE SUBMITTED WITH  
PETITIONER'S PETITION UNDER 37 C.F.R. § 42.64(B)(1)**

Mail Stop  
**Patent Board**  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

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<sup>1</sup> IPR2015-01581 has been joined with IPR2015-00316.

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner Bandspeed, Inc. (“Patent Owner” or “Bandspeed”) hereby objects to the following evidence submitted by Qualcomm, Inc. (“Petitioner” or “Qualcomm”) in conjunction with Petitioner’s Petition for *Inter Partes* Review, Paper 1, filed on July 13, 2015.<sup>2</sup>

1. Exhibit 1008 is objected to for the following reasons:
  - (a) lack of proper authentication under Fed. R. Evid. 901;
  - (b) hearsay under Fed. R. Evid. 801 and 802;
  - (c) irrelevant under Fed. R. Evid. 402; and
  - (d) unduly prejudicial, confusing the issues, misleading, and needlessly presenting cumulative evidence under Fed. R. Evid. 403.
  
2. Exhibit 1009 is objected to for the following reasons:
  - (a) lack of proper authentication under Fed. R. Evid. 901;
  - (b) hearsay under Fed. R. Evid. 801 and 802;
  - (c) irrelevant under Fed. R. Evid. 402; and
  - (d) unduly prejudicial, confusing the issues, misleading, and needlessly presenting cumulative evidence under Fed. R. Evid. 403.
  
3. Exhibit 1010 is objected to for the following reasons:
  - (a) lack of proper authentication under Fed. R. Evid. 901;
  - (b) hearsay under Fed. R. Evid. 801 and 802;

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<sup>2</sup> Qualcomm’s Petition was originally filed in IPR2015-1581.

(c) irrelevant under Fed. R. Evid. 402; and

(d) unduly prejudicial, confusing the issues, misleading, and

needlessly presenting cumulative evidence under Fed. R. Evid. 403.

4. Exhibit 1011 is objected to for the following reasons:

(a) lack of proper authentication under Fed. R. Evid. 901;

(b) hearsay under Fed. R. Evid. 801 and 802;

(c) irrelevant under Fed. R. Evid. 402; and

(d) unduly prejudicial, confusing the issues, misleading, and

needlessly presenting cumulative evidence under Fed. R. Evid. 403.

5. Exhibit 1012 is objected to for the following reasons:

(a) lack of proper authentication under Fed. R. Evid. 901;

(b) hearsay under Fed. R. Evid. 801 and 802;

(c) irrelevant under Fed. R. Evid. 402; and

(d) unduly prejudicial, confusing the issues, misleading, and

needlessly presenting cumulative evidence under Fed. R. Evid. 403.

6. Exhibit 1013 is objected to for the following reasons:

(a) lack of proper authentication under Fed. R. Evid. 901;

(b) hearsay under Fed. R. Evid. 801 and 802;

(c) irrelevant under Fed. R. Evid. 402; and

(d) unduly prejudicial, confusing the issues, misleading, and

needlessly presenting cumulative evidence under Fed. R. Evid. 403.

7. Exhibit 1016 is objected to for the following reasons:

- (a) lack of proper authentication under Fed. R. Evid. 901;
- (b) hearsay under Fed. R. Evid. 801 and 802;
- (c) irrelevant under Fed. R. Evid. 402; and
- (d) unduly prejudicial, confusing the issues, misleading, and

needlessly presenting cumulative evidence under Fed. R. Evid. 403.

These objections have been timely made and served within ten (10) business days of the November 16, 2015 institution date.

DATED: November 23, 2015

By: /Gregory S. Donahue/

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*Attorney for Patent Owner Bandspeed, Inc.*

## **CERTIFICATE OF SERVICE**

The undersigned certifies service pursuant to 37 C.F.R. § 42.6(e) of a copy of this Patent Owner's Objections to Evidence Submitted with Petitioner's Petition Under 37 C.F.R. § 42.64(b)(1) by electronic mail on November 23, 2015 on the counsel of record for Qualcomm:

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DATED: November 23, 2015

By: /s/ Gregory S. Donahue