

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SONY CORPORATION, SAMSUNG ELECTRONICS CO., LTD.,  
SAMSUNG DISPLAY CO., LTD.,  
Petitioners

v.

SURPASS TECH INNOVATION LLC,  
Patent Owner

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Case IPR2015-00863  
Patent 7,202,843 B2

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**PATENT OWNER SURPASS TECH INNOVATION LLC'S  
OBJECTIONS TO PETITIONERS' EVIDENCE  
PURSUANT TO 37 C.F.R. § 42.64(b)(1)**

Patent Owner Surpass objects to the evidence of Petitioners for the reasons

set forth below:

Identity of Exhibit	Portion to be Excluded	Objection	Grounds
1004, 1005	All	37 C.F.R. § 42.63(b); FRE 802	Certification does not provide basis for statements; translation contains hearsay offered for its truth.
1006	All	FRE 402, 403	Jinda is not part of the trial. Paper No. 11 at 12-13.
1007	All	FRE 402, 403	Ham '247 is not part of the trial. Paper No. 11 at 12-13.
1008	All	FRE 402, 403	Ham '229 is not part of the trial. Paper No. 11 at 12-13.
1009	All	FRE 402, 403	Lueder is not part of the trial. Paper No. 11 at 12-13.
1010	All	FRE 402, 403	O'Mara is not part of the trial. Paper No. 11 at 12-13.

Identity of Exhibit	Portion to be Excluded	Objection	Grounds
1011	All	FRE 402, 403, 802	IEEE 100 is not part of the trial. Paper No. 11 at 12-13. Exhibit contains hearsay submitted for the truth of the “definitions” provided.
1012	All	FRE 402, 403, 802	McGraw Hill is not part of the trial. Paper No. 11 at 12-13. Exhibit contains hearsay submitted for the truth of the “definitions” provided.
1013	All	FRE 402, 403, 802	Microsoft is not part of the trial. Paper No. 11 at 12-13. Exhibit contains hearsay submitted for the truth of the “definitions” provided.
1014	¶ 19	FRE 402, 403	References to materials outside of trial, including 19(c)-(i).

Identity of Exhibit	Portion to be Excluded	Objection	Grounds
1014	¶ 20	FRE 402, 403, 702, 703, 802, 35 U.S.C. § 311(b)	References to materials outside of instituted basis for trial; reliance on materials that are not patents or printed publications; failure to provide basis for opinion within instituted basis for trial; contains impermissible hearsay regarding “experience and knowledge.”
1014	¶¶ 31-32, 35-46	FRE 402, 403, 702, 703, 802, 35 U.S.C. § 311(b)	References to materials outside of instituted basis for trial, including O’Mara, Lueder, and Ham; reliance on materials that are not patents or printed publications; relies on materials for the truth of their contents without basis; failure to provide basis for opinion within instituted basis for trial.

Identity of Exhibit	Portion to be Excluded	Objection	Grounds
1014	¶¶ 51-54	FRE 402, 403, 702, 703, 802, 35 U.S.C. § 311(b)	References to materials outside of instituted basis for trial; reliance on materials that are not patents or printed publications (“routinely used”); relies on materials for the truth of their contents without basis; failure to provide basis for opinion within instituted basis for trial.
1014	¶ 55	FRE 402, 403, 702, 703, 802, 35 U.S.C. § 311(b)	References to materials outside of instituted basis for trial; reliance on materials that are not patents or printed publications (“See ¶¶ 45-46 <i>supra</i> ”); failure to provide basis for opinion within instituted basis for trial.

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