

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BUNGIE, INC.,
Petitioner

v.

WORLDS INC.,
Patent Owner

Case IPR2015-01319
Patent 8,082,501

**PATENT OWNER WORLDS INC'S
OBJECTIONS TO PETITIONERS' EXHIBIT 1037**

On February 12, 2016, during Patent Owner's deposition in this matter of Petitioner's technical declarant, Dr. Michael Zyda, Petitioner presented Dr. Zyda with an Ex. 1037 for the purposes of cross-examination. Patent Owner timely objected at that time, consistent with Appendix D of the Office Patent Trial Practice Guide and 37 C.F.R. § 42.64(a). Exhibit 1037 has not been entered into the record for this case. However, these objections are being filed no later than five business days after Petitioner's use of Ex. 1037 during the deposition of Dr. Zyda.

According to the representation of Petitioner's counsel, Ex. 1037 was downloaded by Petitioner's counsel on February 11, 2016 from "Professor Funkhouser's Princeton website."

Patent Owner objects to Petitioner's Ex. 1037 for the reasons set forth below:

1. Failure to authenticate Ex. 1037 ;
2. Failure to establish that Ex. 1037 is a "printed publication" within the meaning of pre-AIA 35 U.S.C. § 102;
3. Failure to establish that Ex. 1037 is prior art within the meaning of pre-AIA 35 U.S.C. § 102;
4. Failure to establish that Ex. 1037 is relevant to any issue in this matter;

5. Failure to establish that any relevance Ex. 1037 might have to this matter substantially outweighs the danger of unfair prejudice and confusing the issues;
6. Failure to include Ex. 1037 with the Petition as required under 37 C.F.R. § 42.104(b)(5);
7. Failure to introduce Ex. 1037 into the record as supplemental evidence as would be required under 37 C.F.R. § 42.64(b)(2); and
8. Failure to introduce Ex. 1037 into the record as supplemental information as would be required under 37 C.F.R. § 42.123.

Dated: February 19, 2016

Respectfully submitted,

By: */s/ Wayne M. Helge*
Registration No. 56,905
Lead Counsel for Patent Owner

Case No. IPR2015-01319
Patent 8,082,501

CERTIFICATE OF SERVICE

I hereby certify that on February 19, 2016, a true and correct copy of the foregoing *Patent Owner's Objections to Petitioner's Ex. 1037* was served via email, by consent, to Petitioner by serving the correspondence email addresses of record as follows:

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