

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 PETITIONER'S REPLY EVIDENCE
PURSUANT TO 37 C.F.R. § 42.64(b)(1)**

Patent Owner Worlds Inc. objects to Petitioner's reply evidence filed and

served on June 24, 2016 for the reasons set forth below:

Identity of Exhibit	Portion to be Excluded	Objection
1037	All	<ol style="list-style-type: none">1. FRE 901 - Failure to authenticate;2. FRE 402/402 - Failure to establish that Ex. 1037 is a "printed publication" within the meaning of pre-AIA 35 U.S.C. § 102; Failure to establish that Ex. 1037 is prior art within the meaning of pre-AIA 35 U.S.C. § 102; Failure to establish that Ex. 1037 is relevant to any issue in this matter; Failure to establish that any relevance Ex. 1037 might have to this matter substantially outweighs the danger of unfair prejudice and confusing the issues;3. Failure to include Ex. 1037 with the Petition as required under 37 C.F.R. § 42.104(b)(5);4. Failure to introduce Ex. 1037 into the record as supplemental evidence under 37 C.F.R. § 42.64(b)(2); and Failure to introduce Ex. 1037 into the record as supplemental information under 37 C.F.R. § 42.123
1041	All	<ol style="list-style-type: none">1. Ex. 1041 is not relevant to any issue in this proceeding under FRE 401/402;2. Ex. 1041 is unfairly prejudicial and under FRE 403 any probative value of the evidence as to Mr. Pesce's qualifications to serve as an expert and as to Mr. Pesce's credibility in this proceeding is substantially outweighed by the danger of unfair prejudice due to Ex. 1041;3. Ex. 1041 is not admissible for proving character of the witness under FRE 404 and is not relevant or admissible as evidence of truthfulness under FRE 608;

		<p>4. Ex. 1041 is not specifically admissible under FRE 607 or 609;</p> <p>5. FRE 405 limits the use of “specific instances of [a] person’s conduct” to those cases “in which character or a trait of character of a person is an essential element of a charge, claim, or defense” No such essential element exists in this proceeding.</p>
1042	All	<p>1. Ex. 1042 is not relevant to any issue in this proceeding under FRE 401/402;</p> <p>2. Ex. 1042 is unfairly prejudicial and under FRE 403 any probative value of the evidence as to Mr. Pesce’s qualifications to serve as an expert and as to Mr. Pesce’s credibility in this proceeding is substantially outweighed by the danger of unfair prejudice due to Ex. 1042;</p> <p>3. Ex. 1042 is not admissible for proving character of the witness under FRE 404 and is not relevant or admissible as evidence of truthfulness under FRE 608;</p> <p>4. Ex. 1042 is not specifically admissible under FRE 607 or 609;</p> <p>5. FRE 405 limits the use of “specific instances of [a] person’s conduct” to those cases “in which character or a trait of character of a person is an essential element of a charge, claim, or defense” No such essential element exists in this proceeding.</p>

Dated: July 1, 2016

Respectfully submitted,

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

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

CERTIFICATE OF SERVICE

I hereby certify that on July 1, 2016, a true and correct copy of the foregoing *Patent Owner's Objections* was served via email, by consent, to Petitioner by serving the correspondence email addresses of record as follows:

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