

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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THE BOEING COMPANY  
Petitioner

v.

SEYMOUR LEVINE  
Patent Owner

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Case No. IPR2015-01341  
U.S. Patent No. RE39,618

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**Petitioner's Objections to Patent Owner's Evidence  
Under 37 C.F.R. § 42.64(b)(1)**

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner, The Boeing Company, submits the following objections to Exhibit Nos. 2009-2010, which were served by Patent Owner, Seymour Levine, together with his Response. These objections are timely because they have been served within five business days of the service of the Patent Owner Response, which occurred on March 28, 2016. *See* 37 C.F.R. § 42.64(b)(1).

<b>Exhibit</b>	<b>Objections</b>
2009	<p>¶ 4: FRE 402, 801, 1002. Declarant testifies re: contents of “earlier version of draft invention disclosure,” but that document has not been produced.</p> <p>¶ 7: FRE 106, 402, 801, 1002. Draft patent application not produced, return draft not produced, redacted portion of transmittal letter in fairness ought to be considered at the same time as non-redacted portion.</p>

Exhibit	Objections
2010	<p>¶ 2: FRE 402, 801, 1002. Declarant testifies re: contents of “preliminary invention disclosure,” but that document has not been not produced.</p> <p>¶ 6: FRE 106, 402, 801, 1002. Referenced patent application not produced; redacted portion of transmittal letter in fairness ought to be considered at the same time as unredacted portion.</p> <p>¶ 7: FRE 402, 801, 1002. Referenced drafts and provisions not produced.</p>

Dated: April 4, 2016

Respectfully submitted,

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**Certificate of Service**

The undersigned hereby certifies that the above-captioned Petitioner's Objections to Patent Owner's Evidence Under 37 C.F.R. § 42.64(b)(1) was served in its entirety on April 4, 2016, upon the following counsel for Patent Owner via e-mail, pursuant to the parties' agreement concerning service:

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