

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS
AMERICA, INC., AND APPLE INC.,
Petitioner

v.

IXI IP, LLC
Patent Owner

Case IPR2015-01444
Patent 7,039,033

PETITIONER'S NOTICE OF OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner hereby submits its notice of objections to certain evidence that Patent Owner submitted with the Patent Owner Response dated April 6, 2016, in connection with IPR2015-01444.

Petitioner objects to Exhibits 2303 and 2304 under FRE 402 and 403 as irrelevant and prejudicial. In particular, Exhibits 2303 and 2304 are transcripts of depositions that were taken for different proceedings, challenging different patents with different claim language under different claim constructions based on a different combination of references for which Dr. Kiaei submitted different Declarations. Petitioner therefore objects under FRE 402 for lack of relevance and under FRE 403 because there is a risk of unfair prejudice, confusion of issues, misleading the Board, and waste of time.

Petitioner objects to Exhibit 2305 under FRE 402 and 403 as irrelevant and prejudicial. Patent Owner has not proven the exhibit was publically available prior to the critical date of the '033 patent and the exhibit is therefore irrelevant and prejudicial. Petitioner further objects to the date information on the exhibit under FRE 802 and 803 as hearsay to the extent that the date information on the exhibit is being offered to prove the truth of the matter being asserted; namely, that the contents of the document were publicly available, as of a particular date. Petitioner further objects to this exhibit under FRE 901 because the Patent Owner has not produced

sufficient evidence to support a finding that the proffered exhibit is what the Patent Owner says and this exhibit is not self-authenticating under FRE 902.

Respectfully submitted,

Date: 4/13/16

/Kevin E. Greene/

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(1) and 42.6(e)(4)(iii), the undersigned certifies that on April 13, 2016, a complete and entire copy of this Petitioner's Notice of Objections to Evidence was provided via email to the Patent Owner by serving the email correspondence addresses of record as follows:

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