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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 No. IPR2015-01444
Patent 7,039,033

**PATENT OWNER'S REPLY IN SUPPORT OF MOTION TO EXCLUDE
EVIDENCE PURSUANT TO 37 C.F.R. §§ 42.62 AND 42.64(c)**

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35 U.S.C. § 316(e) 1

OTHER AUTHORITIES

37 C.F.R. § 42.22 1

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EXHIBIT LIST

| Ex. # | Description |
|--------------|--|
| 2301 | Declaration Of Dr. Narayan Mandayam In Support Of IXI IP, LLC's Patent Owner Response |
| 2302 | Deposition Transcript of Safye Kiaei, IPR2015-01443, March 15, 2016 |
| 2303 | Deposition Transcript of Safye Kiaei, IPR2015-01444, March 16, 2016 |
| 2304 | Deposition Transcript of Safye Kiaei, IPR2015-01445 – 1446, March 17, 2016. |
| 2305 | Specification of the Bluetooth System, Specification Volume 1 (December 1, 1999) (Bluetooth Specification) |
| 2306 | IP Network Address Translator (NAT) Terminology and Considerations," RFC 2663, August 1999 |

Petitioner bears the burden to prove a proposition of unpatentability by a preponderance of the evidence. 35 U.S.C. § 316(e). As discussed below and in Patent Owner's Motion, Exhibits 1002, and 1014-1017 should be excluded.

I. EXHIBITS 1002, 1014 AND 1015 SHOULD BE EXCLUDED

Petitioner does not dispute Patent Owner's allegation that Exhibits 1002, 1014, and 1015 are inadmissible because they are not referenced or explained in the Petition or the Reply, in violation of 37 C.F.R. §§ 42.22(a)(2), 42.104(b)(4).

Further, Petitioner does not dispute that these exhibits constitute an improper attempt to circumvent the page limits for the Petition. *See* 37 C.F.R.

§42.24(a)(1)(i). As such, for at least these reasons, Exhibits 1002, 1014, and 1015 should be excluded.

Petitioner only challenges Patent Owner's arguments that Exhibits 1002, 1014, and 1015 are irrelevant and prejudicial. *See* Paper 24 at 2-3. Petitioner argues that the exhibits were cited in Dr. Kiaei's Declaration (Exhibit 1003) and the relevant paragraphs of his declaration were cited in the Petition. *See id.*

Petitioner's citations to Dr. Kiaei's Declaration do not identify how Petitioner intends to rely, if at all, on these exhibits. Petitioner's failure to reference or explain these exhibits prejudices Patent Owner's ability to evaluate their relevancy and prepare rebuttal arguments. As such Exhibits 1002, 1014, and 1015 should be excluded as irrelevant and prejudicial under FRE 401, 402, 403.

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