

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

SMART MODULAR TECHNOLOGIES, INC.

Petitioner

v.

JAMES B. GOODMAN

Patent Owner

Case No. IPR2015-01675

Patent 6,243,315

**PETITIONER'S OBJECTIONS TO PATENT OWNER'S UNMARKED
ATTACHMENTS SUBMITTED WITH IT'S POST-INSTITUTION RESPONSE**

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Patent Owner's March 3, 2016 Response includes two unmarked attachments. Patent Owner identifies the first unmarked attachment as "selected pages from web site of www.jedec.org." and the second unmarked attachment as "JEDEC21-C." Patent Owner's Response cites to these exhibits at page 9.

Petitioner objects to:

1. Patent Owner's improper submission of attachments as exhibits, pursuant to
 - a. 37 C.F.R. § 42.63(a) (failure to file in the form of an exhibit);
 - b. 37 C.F.R. § 42.63(d)(1), (2)(ii) (failure to label the exhibits);and
 - c. 42.63(d)(2)(i) (failure to sequentially number the exhibit pages); and
2. the attachments themselves, pursuant to 37 C.F.R. § 42.64 as follows:
 - a. Objection to completeness of the Exhibits under F.R.E. 106 (Remainder of or Related Writings or Recorded Statements), because both Exhibits appear to be incomplete sections of a document or webpage.

- b. Objection to Patent Owner's characterization of these Exhibits at page 8 of Patent Owner's Response under F.R.E. 701 (Opinion Testimony by Lay Witnesses) and F.R.E. 702 (Testimony by Expert Witnesses), because the characterization is unsupported by expert testimony and Patent Owner's counsel is not identified as an expert in this case.

Dated: March 11, 2016

/Michael F. Heafey/

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Certificate Of Service In Compliance With 37 C.F.R. § 42.6(e)(4)

The undersigned certifies that a complete copy of this *PETITIONER'S OBJECTIONS TO PATENT OWNER'S UNMARKED ATTACHMENTS SUBMITTED WITH IT'S POST-INSTITUTION RESPONSE* was served via email on Counsel for Patent Owner in this proceeding:

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