

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SIERRA WIRELESS AMERICA, INC.; SIERRA WIRELESS, INC.;
and RPX CORP.,
Petitioners,

v.

M2M SOLUTIONS LLC,
Patent Owner.

Case IPR2015-01823
Patent 8,648,717

M2M SOLUTIONS LLC'S OBJECTIONS TO EVIDENCE

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Pursuant to 37 C.F.R. § 42.64 (b) Patent Owner, M2M Solutions LLC (“M2M”) objects under the Federal Rules of Evidence (“FRE”) to Exhibits 1004, 1007, 1009, 1013, 1014 and 1015 cited in Sierra Wireless America Inc.’s, Sierra Wireless Inc.’s and RPX Corp.’s (collectively, “Sierra Wireless”) Petition for *Inter Partes* Review (“Petition”).¹ The Patent Trial and Appeal Board instituted trial on March 8, 2016²; therefore, M2M’s Objections to Evidence are timely under 37 C.F.R. § 42.64(b)(1).

I. OBJECTIONS TO EXHIBITS 1004, 1007, 1009, 1014, 1015

Exhibit 1004: M2M objects to Exhibit 1004, Digital cellular telecommunications system, (Phase 2+); Specification of the Subscriber Identity Module - Mobile Equipment, SIM – ME interface, (GSM 11.11 version 7.4.0 Release 1998) (“SIM+ME Spec”) because it is inadmissible hearsay under FRE 802; it has not been properly authenticated, as required by FRE 901; and this exhibit is not self-authenticating under FRE 902.

Exhibit 1007: M2M objects to Exhibit 1007, Digital cellular telecommunications system (Phase 2+); AT command set for GSM Mobile Equipment (ME) (GSM 07.07 version 5.8.1 Release 1996) (“AT Command Set”)

¹ Paper 1, filed August 26, 2015.

² See Paper 16, entered March 8, 2016.

because it is inadmissible hearsay under FRE 802; it has not been properly authenticated, as required by FRE 901; and this exhibit is not self-authenticating under FRE 902.

Exhibit 1009: M2M objects to Exhibit 1009, Digital cellular telecommunications system, (Phase 2+); General Packet Radio Service (GPRS); Service description; Stage 2 (GSM 03.60 version 6.3.2 Release 1997) (“GPRS Service Description”) because it is inadmissible hearsay under FRE 802; it has not been properly authenticated, as required by FRE 901; and this exhibit is not self-authenticating under FRE 902.

Exhibit 1014: M2M objects to Exhibit 1014, Digital cellular telecommunications system, (Phase 2+); Specification of the SIM Application Toolkit for the Subscriber Identity Module – Mobile Equipment (SIM-ME) interface (GSM 11.14 version 7.3.0 Release 1998) because it is inadmissible hearsay under FRE 802; it has not been properly authenticated, as required by FRE 901; and this exhibit is not self-authenticating under FRE 902.

Exhibit 1015: M2M objects to Exhibit 1015, The Subscriber Identity Module, European Telecommunications Standardization and the Information Society, The State of the Art 1995 because it is inadmissible hearsay under FRE 802; it has not been properly authenticated, as required by FRE 901; and this exhibit is not self-authenticating under FRE 902.

II. OBJECTIONS TO EXHIBIT 1013

M2M objects to the paragraphs 48, 49, 50, and 51 in Exhibit 1013, Declaration of Kevin Negus, under FRE 602 and 703, to the extent Dr. Negus offers opinions regarding publication dates, availability and any restrictions ETSI may or may not have had in place regarding the documents identified as Exhibits 1004, 1007, 1009, and 1014.

M2M objects to paragraph 52 in Exhibit 1013, under FRE 602 and 703, to the extent Dr. Negus offers opinions regarding the publication date and availability of document identified as Exhibit 1015.

M2M objects to paragraphs 61, 78, 79, 81, 82, 83, 86, 93, 94, 95, 96, 97, 99, 100, 103, 104, 106, and 109 in Exhibit 1013, under FRE 703, to the extent those paragraphs rely on Exhibit 1004, which M2M has objected to as inadmissible evidence.

M2M objects to paragraphs 80, 81, 82, 95, and 98 in Exhibit 1013, under FRE 703, to the extent those paragraphs rely on Exhibit 1007, which M2M has objected to as inadmissible evidence.

M2M objects to paragraphs 77 and 82 in Exhibit 1013, under FRE 703, to the extent those paragraphs rely on Exhibit 1009, which M2M has objected to as inadmissible evidence.

M2M objects to paragraphs 80, 81, 82, 95, and 98 in Exhibit 1013, under

M2M Solutions LLC's Objections to Evidence
IPR2015-01823

FRE 703, to the extent those paragraphs rely on Exhibit 1014, which M2M has objected to as inadmissible evidence.

M2M objects to paragraphs 78, 79, 81, and 85 in Exhibit 1013, under FRE 703, to the extent those paragraphs rely on Exhibit 1015, which M2M has objected to as inadmissible evidence.

Dated: March 22, 2016

Respectfully Submitted,

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