

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION,
Petitioner

v.

RAYTHEON COMPANY,
Patent Owner

Case IPR2016-00209

Patent 5,591,678

**PATENT OWNER'S OBJECTIONS TO PETITIONER'S EXHIBITS
SERVED WITH ITS REPLY**

Pursuant to 37 C.F.R. § 42.64(b), Patent Owner Raytheon Company (“Raytheon”) files these objections with the Board. Raytheon objects to the admissibility of certain exhibits served with Sony Corporation’s (“Sony”) Petitioner Reply to Patent Owner’s Response served on August 19, 2016. These objections are based on the Federal Rules of Evidence and the Board Rules, as set forth with particularity below.

Exhibit	Title Document	Objections
Ex. 1019	Deposition Transcript of Dr. Eugene A. Fitzgerald (August 12, 2016)	<u>FRE 401/402:</u> Patent Owner objects to Petitioner’s use of this exhibit in Petitioner’s Reply to the extent it cites a portion of the transcript that is irrelevant in that it neither has a tendency to make a fact more or less probable than it would be without the evidence nor is it of consequence to the Board’s determination. Specifically, Dr. Fitzgerald’s testimony regarding the meaning of claim terms is irrelevant to their intrinsic meaning (<i>see e.g.</i> Ex. 1019 at p.15, l.22 to p.19, l.10.)
Ex. 1020	Deposition Transcript of Dr. Eugene A. Fitzgerald (May 6, 2016)	<u>FRE 106:</u> Patent Owner objects to Petitioner’s use of this exhibit to the extent it is not complete. Specifically, Petitioner includes Dr. Fitzgerald’s deposition transcript from IPR2015-01201 without including his declaration from that case, which ought in fairness to be considered contemporaneously with the transcript. (<i>See</i> IPR2015-01201, Exs. 2019 and 2019S.) The testimony is incomplete without Dr. Fitzgerald’s declaration,

		which is referenced throughout the deposition transcript.
Ex. 1021	Deposition Transcript of Dr. John Drab (August 10, 2016)	<u>FRE 106:</u> Patent Owner objects to Petitioner's use of this exhibit to the extent it is not complete. Specifically, Petitioner questioned the witness about certain documents and the witness answered by referring to the documents (<i>see e.g.</i> Ex. 1021 at p.48, l.16 to p.56, l.2). The transcript is incomplete without all exhibits used at the deposition in the record.

Date: August 26, 2016

Respectfully submitted

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Objections**, were served in their entirety on August 26, 2016 by filing this document through the Patent Review Processing System as well as by delivering a copy via electronic email to the attorneys of record for the Petitioner as follows:

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