

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.

Petitioner

V.

PERSONALIZED MEDIA COMMUNICATIONS, LLC

Patent Owner

Case No. IPR2016-00755

U.S. Patent No. 8,191,091

**PATENT OWNER'S OBJECTIONS TO
PETITIONER'S DEMONSTRATIVE EXHIBITS**

Pursuant to 37 C.F.R. § 42.70 and Paper 39, Patent Owner Personalized Media Communications, LLC (“PMC”) hereby submits the following objections to Petitioner’s demonstrative exhibits. Petitioner and PMC met and conferred on June 1-2, 2017 but were unable to reach a resolution regarding the following objections.

PMC objects to Petitioner’s Slides 5, 8, 13, 15, 16, 18, 21, 25, 27, 28, 33, 41, 43, 46, and 53 for their extensive citations to, and block-quotes of, entire paragraphs from the Board’s Institution Decision (Paper No. 14) as if they were supporting evidence. The Institution Decision, reflecting the Board’s preliminary findings, is neither “evidence in the record” nor Petitioner’s own arguments as presented in its papers. *See* Paper 39 at 3 (“demonstrative exhibits should cite to ***evidence in the record.***”); *CBS Interactive Inc. v. Wireless Scis. LLC*, Case IPR2013-00033 (PTAB Oct. 23, 2013) (Paper 118) at 3 (“Whatever a party desires to present, for whatever reason, should have already been presented in the party’s [filings], or other exhibits”). PMC therefore requests that the block-quotes of Paper No. 14 be stricken from those slides.

PMC objects to Petitioner’s Slides 58-61 in their entireties because they are directed solely to issues related to PMC’s Contingent Motion to Amend (Paper 21) on which PMC will not present anything during the oral hearing. *See* Paper 39 at 2-3 (“On rebuttal, each party will be restricted to only those matters raised by the

other party in its initial presentation.”). PMC therefore requests that Slides 58-61 be deleted in their entireties from Petitioner’s demonstrative exhibits.

Dated: June 2, 2017

Respectfully submitted,

By / Douglas J. Kline /

Douglas J. Kline

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the:

**PATENT OWNER'S OBJECTIONS TO
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filed herewith was served, pursuant to 37 C.F.R. §42.6(e)(1) and the consent found in Section III.D of the Petition (Paper No. 1), by electronic mail on counsel for Petitioner at the electronic mail addresses set forth below:

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Dated: June 2, 2017

By: / Douglas J. Kline /