

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZTE (USA) Inc., HTC Corporation, HTC America, Inc.,
Samsung Electronics Co., Ltd., and
Samsung Electronics America, Inc.,
Petitioner,

v.

Evolved Wireless LLC,
Patent Owner.

Case IPR2016-00757¹
Patent 7,881,236 B2

Before WILLIAM V. SAINDON, PETER P. CHEN, and
TERRENCE W. McMILLIN, *Administrative Patent Judges*.

PETITIONER'S OBJECTIONS UNDER 37 C.F.R. § 42.64(b)(1) TO
PATENT OWNER'S EXHIBITS 2002 & 2003

¹ IPR2016-01345 has been consolidated with this proceeding.

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner objects to the admissibility of Patent Owner's exhibits 2002 and 2003 as follows.

EXHIBIT 2002

Petitioner objects to the admissibility of Exhibit 2002 under FED. R. EVID. 802. This exhibit incorporates or conveys inadmissible hearsay that is offered to prove the truth of matters allegedly asserted therein.

Petitioner also objects to the admissibility of Exhibit 2002 under FED. R. EVID. 901(a). Patent Owner has not produced evidence sufficient to support a finding that this exhibit is a true and correct copy of what Patent Owner purports it to be.

EXHIBIT 2003

Petitioner objects to the admissibility of Exhibit 2003 under FED. R. EVID. 401 and 402. Exhibit 2003 is not relevant to any issue in this proceeding.

December 16, 2016

Respectfully submitted,

/Charles M. McMahon/

Charles M. McMahon (Reg. 44,926)
McDERMOTT WILL & EMERY LLP

Attorney for Petitioner

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CERTIFICATE OF SERVICE

I certify that I sent a copy of the foregoing PETITIONER'S OBJECTIONS UNDER 37 C.F.R. § 42.64(B)(1) TO PATENT OWNER'S EXHIBITS 2002 & 2003 on December 16, 2016 by electronic mail to the attorneys of record for the Patent Owner at the following e-mail addresses:

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/Hersh H. Mehta/

Hersh H. Mehta (Reg. 62,336)