

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

CHESTNUT HILL SOUND INC.,
Patent Owner

Case IPR2016-00794
U.S. Patent No. 8,090,309

PETITIONER'S OBJECTIONS TO ADMISSIBILITY OF EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b), Petitioner objects as follows to the

admissibility of the evidence served by Patent Owner on June 28, 2016:

Evidence	Objections
IPR2015-01463, Paper No. 2 (Exhibit 2001)	FRE 402 (Relevance): The Patent Owner does not use this exhibit in supporting the patentability of the Challenged Claims. Thus, to the extent that Patent Owner relies on the exhibit as anything other than prior art or in showing the patentability or unpatentability of the '309 patent, the exhibit is not relevant.
Oct. 9, 2015 Case No. 15-261, D. Del., at 69:4-71:13 (Exhibit 2002)	FRE 402 (Relevance): The Patent Owner does not use this exhibit in supporting the patentability of the Challenged Claims. To the extent that Patent Owner relies on the exhibit as anything other than prior art or in showing the patentability or unpatentability of the '309 patent, the exhibit is not relevant.
Excerpts of Petition for Inter-Partes Review IPR2016-00794 (Exhibit 2003)	FRE 402 (Relevance): The Patent Owner does not use this exhibit in supporting the patentability of the Challenged Claims. To the extent that Patent Owner relies on the exhibit as anything other than prior art or in showing the patentability or unpatentability of the '309 patent, the exhibit is not relevant.
Chestnut Hill Sound Inc. v. Apple Inc., No. 15-261-RGA (D. Del), Exhibits to Opening Brief in Support of Motion for Preliminary Injunction (Exhibit 2004)	FRE 802 (Hearsay): The entirety of this exhibit is an out of court statement offered to prove the Patent Owner's development and sale of an audio system and accolades allegedly awarded to an audio system, and are thus hearsay. FRE 901 (Authentication): Patent Owner has failed to show that the exhibit is self-authenticating, and has failed to produce evidence to show that this is an authentic copy of the documents.

	FRE 402 (Relevance): The Patent Owner does not use this exhibit in supporting the patentability of the Challenged Claims. To the extent that Patent Owner relies on the exhibit as anything other than prior art or in showing the patentability or unpatentability of the '309 patent, the exhibit is not relevant.
Additional Excerpts of Petition for Inter-Partes Review IPR2016-00794 (Exhibit 2005)	FRE 402 (Relevance): The Patent Owner does not use this exhibit in supporting the patentability of the Challenged Claims. To the extent that Patent Owner relies on the exhibit as anything other than prior art or in showing the patentability or unpatentability of the '309 patent, the exhibit is not relevant.

Respectfully submitted,

Dated: October 7, 2016

/Joshua A. Griswold/

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