

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VALVE CORPORATION,
Petitioner,

v.

IRONBURG INVENTIONS LTD.,
Patent Owner.

Cases:

IPR2016-00948 (Patent 8,641,525 B2)
IPR2016-00949 (Patent 9,089,770 B2)

**SUPPLEMENTAL EVIDENCE FILED IN RESPONSE TO
PATENT OWNER'S EVIDENTIARY OBJECTIONS**

I. Procedural authorization to file supplemental evidence.

Petitioner disagrees with the objections to evidence that Patent Owner filed on 04 April 2017, and reserves the right to rebut each of those objections in an opposition, if Patent Owner brings a motion to exclude based upon such objections. Under 37 CFR §42.64(b)(2), and pursuant to the Board's order dated 27 October 2016 (Paper 13, at p. 4), the Petitioner is now entitled to file supplemental evidence (before the ten-business-day deadline which expires on 18 April 2017), in response to the Patent Owner's evidentiary objections filed 04 April 2017.

II. The supplemental evidence filed herewith, is proper and authentic.

Three exhibits containing supplemental evidence are being filed herewith. Each of these exhibits is proper and authentic as described below.

A. Exhibit 1025, the Prosecution History of U.K. Patent App. No. GB1011078.1.

The undersigned attorney declares under penalty of perjury, pursuant to 28 U.S.C. §1746 and 18 U.S.C. §1001, that Petitioner's Exhibit 1025 submitted herewith into the record of instituted trials IPR2016-00948 and IPR2016-00949, is a true and correct copy of the publicly available and official prosecution history of Patent App. No. GB1011078.1, and matches in all material aspects the version publicly available for download from the Online Patent Information and Document Inspection Service (Ipsum) of the U.K. Intellectual Property Office, at

*www.ipo.gov.uk/p-ipsu*m/Case/PublicationNumber/GB2481633. It includes, at pages 21-29 & 42 (using the page number of the electronic PDF version of the file), the UK Search and Examination Report for Patent App. No. GB1011078.1, dated 16 May 2011, that was filed in this action as Exhibit 1007 on 22 April 2016 (which was previously downloaded from the same U.K. Intellectual Property Office website, as stated under penalty of perjury by the undersigned attorney in Exhibit 1013, at paragraph 7).

Based on the above, Petitioner's Exhibit 1025 is not excluded by the rule against hearsay because it qualifies as a public record under the Federal Rules of Evidence (FRE) §803(8). Also, its availability from the official web domain *www.ipo.gov.uk*, and its other characteristics, evidence its authenticity under FRE §901(a), FRE §901(b)(1), FRE §901(b)(4), and FRE §901(b)(7)(B).

B. Exhibit 1026, WIPO Study on Inventive Step.

The undersigned attorney declares under penalty of perjury, pursuant to 28 U.S.C. §1746 and 18 U.S.C. §1001, that Petitioner's Exhibit 1026 submitted herewith into the record of instituted trials IPR2016-00948 and IPR2016-00949, is a true and correct copy of the publicly available "Study on Inventive Step," published on 06 July 2015 by the World Intellectual Property Organization (WIPO) for the 22nd Session of the Standing Committee on the Law of Patents held in Geneva on 27-31 July 2015, a summary of which is available in six languages,

and matches in all material aspects the version that is publicly available for download from WIPO at www.wipo.int/edocs/mdocs/scp/en/scp_22/scp_22_3.pdf.

Based on the above, Petitioner's Exhibit 1026 is not excluded by the rule against hearsay because it qualifies as a public record under the Federal Rules of Evidence (FRE) §803(8). Also, its availability from the official web domain www.wipo.int, and its other characteristics, evidence its authenticity under FRE §901(a), FRE §901(b)(1), FRE §901(b)(4), and FRE §901(b)(7)(B)..

C. Exhibit 1027, Abstracts of a Subset of Patent Documents Previously Examined by Mr. Brendan Donohoe.

The undersigned attorney declares under penalty of perjury, pursuant to 28 U.S.C. §1746 and 18 U.S.C. §1001, that Petitioner's Exhibit 1027 submitted herewith into the record of instituted trials IPR2016-00948 and IPR2016-00949, is a true and correct copy of a selection of three publicly available abstracts (with corresponding search reports) of published patent documents officially examined by Mr. Brendan Donohoe of the U.K. Intellectual Property Office, and match in all material aspects the abstracts and search reports that are publicly available for download from the Online Patent Information and Document Inspection Service (Ipsum) of the U.K. Intellectual Property Office, at the following three Internet-accessible locations:

- <https://www.ipso.gov.uk/p-ipsom/Case/ApplicationNumber/GB0816492.3>
- <https://www.ipso.gov.uk/p-ipsom/Case/ApplicationNumber/GB0816482.4>

- <https://www.ipo.gov.uk/p-ipsum/Case/ApplicationNumber/GB0816493.1>

Petitioner's Exhibit 1027 is not excluded by the rule against hearsay because it qualifies as a public record under the Federal Rules of Evidence (FRE) §803(8). Also, its availability from the official web domain *www.ipo.gov.uk*, and its other characteristics, evidence its authenticity under FRE §901(a), FRE §901(b)(1), FRE §901(b)(4), and FRE §901(b)(7)(B).

III. Updated complete list of exhibits.

Starting on the following page, is a complete list of Petitioner's exhibits, updated to include the supplemental evidence filed herewith, and including all exhibits filed by petitioner to date.

IV. Conclusion.

The supplemental evidence filed herewith is proper and authentic, as described previously herein.

Respectfully submitted,

By: *Joshua C. Harrison, USPTO Reg. # 45,686/*

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