

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)

PATENT OWNER'S MOTION TO EXCLUDE

PURSUANT TO 37 C.F.R. § 42.64(c)

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I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.64(c), Patent Owner Ironburg Inventions Ltd. (“Patent Owner”) moves to exclude Exhibits 1007 and 1025-1027, submitted by Petitioner Valve Corporation (“Petitioner”) in support of Petitioner’s Corrected Petition (Paper 4) filed May 2, 2016 and Petitioner’s Reply to the Patent Owner Response filed on March 28, 2017. Exhibit 1007 was objected to on three different occasions: (1) Patent Owner’s Preliminary Response (dated July 28, 2016), (2) Patent Owner’s Objections to Petitioner’s Evidence Pursuant to 37 C.F.R. §42.64 (dated November 1, 2016), and (3) Patent Owner’s Objections to Evidence Relied Upon in Petitioner’s Reply (dated April 4, 2017).

In response to Patent Owner’s objections, Petitioner filed supplemental evidence on November 14, 2016 and April 13, 2017. Petitioner’s first attempt to provide supplemental evidence was in the form of a Declaration of Joshua C. Harrison (“Harrison Declaration”), and the second attempt involved the filing of Exhibits 1025-1027 accompanied by a Petitioner Response.

Petitioner’s Exhibit 1007 should be excluded as lacking authentication, inadmissible hearsay, irrelevant to the present action, and/or confusing or misleading. *See* Federal Rules of Evidence (“F.R.E.”) 901, 802, and 401-403. Petitioner’s Exhibits 1025-1027 should also be excluded as untimely and/or inadmissible. *See* 37 C.F.R. § 42.64(b)(2); 37 C.F.R. § 42.123(b). Further, the

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