

**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)

---

**OPPOSITION TO  
PATENT OWNER'S MOTION TO EXCLUDE**

## TABLE OF CONTENTS

	<u>Page</u>
Exhibit List .....	iii
I. INTRODUCTION .....	1
II. LEGAL STANDARDS .....	2
A. Public records are excepted from the rule against hearsay.....	2
B. Statements in documents that affect an interest in property are excepted from the rule against hearsay.....	2
III. ARGUMENT.....	3
A. Ironburg has not met its burden for exclusion of Exhibit 1007. ....	3
1. Exhibit 1007 has been amply authenticated. ....	3
2. Exhibit 1007 qualifies under at least one hearsay exception.....	5
3. Exhibit 1007 is admissible under FRE § 401.....	6
4. Exhibit 1007 is admissible under FRE § 403.....	8
B. Exhibits 1025-1028. ....	11
1. Exhibits 1025-1027 are not supplemental information, but rather comprise supplemental evidence, timely-served after Ironburg’s objection to the admissibility of Exhibit 1007.....	11
2. The admissibility of Exhibits 1025 and 1026 is moot, because that supplemental	

evidence is not relied upon in this proceeding.....12

3. Exhibits 1025-1027 comprise timely-served supplemental evidence that was harmlessly prematurely filed. ....12

4. Duplicate Exhibit 1028 comprises only supplemental evidence that was timely served (as Exhibit 1027) and admissible over Ironburg’s objections, and is now timely filed herewith.....12

IV. CONCLUSION .....15

## EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent 8,641,525 to Burgess et al. (“ ’525 patent”)
1002	U.S. Patent 5,989,123 to Tosaki et al. (“Tosaki”)
1003	U.S. Patent App. Pub. 2010/0073283 to Enright (“Enright”)
1004	U.S. Patent App. Pub. 2001/0025778 to Ono
1005	“Rapid Fire Mod for Wireless Xbox 360 Controller, Step by Step Tutorial with Pictures,” posts 341-346 by Jimakos Sn, published 08 July 2008 at <a href="http://forums.xbox-scene.com/index.php?/topic/643928-rapid-fire-mod-for-wireless-xbox-360-controller/page-23">http://forums.xbox-scene.com/index.php?/topic/643928-rapid-fire-mod-for-wireless-xbox-360-controller/page-23</a> .
1006	U.S. Patent 4,032,728 to Oelsch (“Oelsch”)
1007	UK Search and Examination Report for Patent App. No. GB1011078.1, 16 May 2011, at 2.
1008	Expert Declaration of David Rempel, M.D., in Support of Valve Corporation’s Petition for Inter-Partes Review of U.S. Patent 8,641,525.
1009	Curriculum Vitae of David Rempel, M.D. (also denominated as Ex. 1 to Ex. 1012).
1010	Photo of the Wireless Xbox 360 Controller, published on 13 May 2005 at <a href="http://www.ign.com/articles/2005/05/13/xbox-360-wireless-controller-tour">http://www.ign.com/articles/2005/05/13/xbox-360-wireless-controller-tour</a> .
1011	U.S. Patent 9,089,770 to Burgess et al. (“ ’770 patent”)
1012	Expert Declaration of David Rempel, M.D., in Support of Valve Corporation’s Petition for Inter-Partes Review of U.S. Patent 9,089,770.
1013	Declaration of Joshua C. Harrison.
1014 <i>(not filed)</i>	Diagram used in deposition of Dr. Glen Stevick, 09 March 2017.
1015 <i>(not filed)</i>	Shape 1, used in deposition of Dr. Glen Stevick, 09 March 2017.
1016 <i>(not filed)</i>	Shape 2, used in deposition of Dr. Glen Stevick, 09 March 2017.

**EXHIBIT LIST (CONTINUED)**

Exhibit No.	Description
1017 <i>(not filed)</i>	Shape 3, used in deposition of Dr. Glen Stevick, 09 March 2017.
1018 <i>(not filed)</i>	Institution Decision in IPR2016-0949 <i>(filed as Paper 10, but not filed as an exhibit)</i> .
1019 <i>(not filed)</i>	Annotated Fig. 1 of U.S. Patent 7, 859,514 to Park.
1020 <i>(not filed)</i>	Annotated Fig. 23 of U.S. Patent 5,989,123 to Tosaki et al.
1021	Expert Declaration of David Rempel, M.D., Regarding the PO Responses in cases IPR2016-00948 and IPR2016-00949. (“Rempel Reply Decl.”)
1022	Transcript of Deposition of Dr. Glen Stevick on 09 March 2017. (“Stevick Depo., Vol. I”)
1023	Transcript of Deposition of Dr. Glen Stevick on 15 March 2017. (“Stevick Depo., Vol. II”)
1024	Excerpt from USPTO Manual of Classification, January 2011, Class 463 Amusement Devices: Games. <a href="http://www.uspto.gov/web/patents/classification/uspc463/sched463.pdf">www.uspto.gov/web/patents/classification/uspc463/sched463.pdf</a>
1025	Prosecution history of Patent App. No. GB1011078.1, from the Online Patent Information and Document Inspection Service (Ipsum) of the U.K. Intellectual Property Office. <a href="http://www.ipo.gov.uk/p-ipsu/Case/PublicationNumber/GB2481633">www.ipo.gov.uk/p-ipsu/Case/PublicationNumber/GB2481633</a>
1026	“Study on Inventive Step,” 06 July 2015, World Intellectual Property Organization (WIPO), 22nd Session of the Standing Committee on the Law of Patents, Geneva. <a href="http://www.wipo.int/edocs/mdocs/scp/en/scp_22/scp_22_3.pdf">www.wipo.int/edocs/mdocs/scp/en/scp_22/scp_22_3.pdf</a>
1027	Abstracts (and corresponding search reports) of three published patent documents officially examined by Mr. Brendan Donohoe of the U.K. Intellectual Property Office.
1028	Abstracts (and corresponding search reports) of three published patent documents officially examined by Mr. Brendan Donohoe of the U.K. Intellectual Property Office. <i>(duplicate of Exhibit 1027 served on 13 April 2017)</i>

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.