

Filed on behalf of TQ Delta, LLC
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC., DISH NETWORK, LLC,
COMCAST CABLE COMMUNICATIONS, LLC,
COX COMMUNICATIONS, INC.,
TIME WARNER CABLE ENTERPRISES LLC,
VERIZON SERVICES CORP., and ARRIS GROUP, INC.,
Petitioners

v.

TQ DELTA, LLC
Patent Owner

Case No. IPR2016-01020¹
Patent No. 9,014,243

**PATENT OWNER OBJECTIONS TO PETITIONERS'
DEMONSTRATIVES**

¹ DISH Network, L.L.C., who filed a Petition in IPR2017-00254, and Comcast Cable Communications, L.L.C., Cox Communications, Inc., Time Warner Cable Enterprises L.L.C., Verizon Services Corp., and ARRIS Group, Inc., who filed a Petition in IPR2017-00418, have been joined in this proceeding.

Pursuant to the Board's Order granting the parties' Request for Oral Hearing in IPR2016-01020 (Paper 35), Patent Owner submits the following objections to Petitioners' demonstratives:

Slide	Objection
21 (entirety)	This slide excerpts Ex. 1023, which constitutes improper new evidence and argument that should have been presented in the Petition, was not part of the instituted grounds, and was provided only with the Reply and, thus, is irrelevant and improper (pursuant to F.R.E. 402, F.R.E 403, 37 C.F.R. § 42.23, and 37 C.F.R. § 42.61), as further explained in Patent Owner's Listing of Improper Reply (Paper 22), Objections (Paper 23), and Motion to Exclude (Paper 28).
22 (entirety)	This slide excerpts Ex. 1024, which constitutes improper new evidence and argument that should have been presented in the Petition, was not part of the instituted grounds, and was provided only with the Reply and, thus, is irrelevant and improper (pursuant to F.R.E. 402, F.R.E 403, 37 C.F.R. § 42.23, and 37 C.F.R. § 42.61), as further explained in Patent Owner's Listing of Improper Reply (Paper 22), Objections (Paper 20), and Motion to Exclude (Paper 28).
23 (entirety)	This slide excerpts Ex. 1028, which constitutes improper new evidence and argument that should have been presented in the Petition, was not part of the instituted grounds, and was provided only with the Reply and, thus, is irrelevant and improper (pursuant to F.R.E. 402, F.R.E 403, 37 C.F.R. § 42.23, and 37 C.F.R. § 42.61), as further explained in Patent Owner's Listing of Improper Reply (Paper 22), Objections (Paper 20), and Motion to Exclude (Paper 28).

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Patent Owner Objection To Petitioners' Demonstratives

U.S. Patent No. 9,014,243

Slide	Objection
37 (last two sentences in text box)	These sentences are based on insufficient evidence because the Matlab simulation used to support Petitioners' expert's conclusion was not produced to Patent Owner and was apparently destroyed and, thus, are inadmissible and improper (pursuant to F.R.E. 702, 705, 37 C.F.R. §§ 41.51(b)(1)(i) & 41.51(b)(1)(iii), and 37 C.F.R. § 42.65(b)) as explained in Patent Owner's Objections (Paper 20), Motion to Exclude (Paper 28) at pp. 6–9, and Patent Owner's Motion for Discovery (Paper 31).

Dated: August 1, 2017

/Peter J. McAndrews/

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CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. §42.6, that a complete copy of the attached **PATENT OWNER'S OBJECTIONS TO PETITIONERS' DEMONSTRATIVES** is being served on August 1, 2017, by electronic mail to the following:

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Patent Owner Objection To Petitioners' Demonstratives

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Date: August 1, 2017

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