

Filed on behalf of TQ Delta, LLC

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ARRIS GROUP, INC.,  
Petitioner,  
v.

TQ DELTA, LLC,  
Patent Owner.

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Case IPR2016-01160  
Patent No. 8,611,404

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**PATENT OWNER'S OBJECTIONS TO EVIDENCE  
PURSUANT TO 37 C.F.R. § 42.64(b)(1)**

*Patent Owner's Objections to Evidence*

IPR2016-01160

U.S. Patent No. 8,611,404

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner TQ Delta, LLC (“Patent Owner”) hereby files and serves the following objections to evidence that Petitioner ARRIS GROUP, Inc.’s (“ARRIS”) submitted with its Petition for *Inter Parties* Review of United States Patent No. 8,611,404. A chart listing Patent Owner’s objections and its basis for the objections is provided below.

<b>Exhibit</b>	<b>Objection</b>
Ex. 1003 (Declaration of Lance McNally)	<b>Relevance:</b> The declaration offers opinions that claims of U.S. Patent No. 8,612,404 are invalid on the ground that they are obvious over Exhibits 1007, 1008, and 1009. Those opinions are not relevant under FRE 402 to this Petition because the Board did not institute trial based on that ground.
Ex. 1007 (T1E1.4/97-161R1, “Warm Re-Start for ADSL”)	<b>Relevance:</b> The exhibit is not relevant under FRE 402 to any ground upon which trial was instituted.  <b>Confusion, Delay, and Waste of Time:</b> To the extent that this exhibit has any other relevance to the Petition, that relevance was not raised by the Petition, and any argument for raising it now would result in confusion, delay, and wasted time. <i>See</i> FRE 403.  <b>Hearsay:</b> The exhibit constitutes inadmissible hearsay, and no hearsay exception applies. <i>See</i> FRE 801-807. Additionally, Petitioner has provided no admissible evidence establishing the date of publication.  <b>Authenticity:</b> The exhibit is not authenticated as required by FRE 901 and is not self-authenticating.

Patent Owner's Objections to Evidence

IPR2016-01160

U.S. Patent No. 8,611,404

<b>Exhibit</b>	<b>Objection</b>
Ex. 1008 (T1E1.4/97-319, “Power Down in Multicarrier Transmission”)	<p><b>Relevance:</b> The exhibit is not relevant under FRE 402 to any ground upon which trial was instituted.</p> <p><b>Confusion, Delay, and Waste of Time:</b> To the extent that this exhibit has any other relevance to the Petition, that relevance was not raised by the Petition, and any argument for raising it now would result in confusion, delay, and wasted time. <i>See</i> FRE 403.</p> <p><b>Hearsay:</b> The exhibit constitutes inadmissible hearsay, and no hearsay exception applies. <i>See</i> FRE 801-807. Additionally, Petitioner has provided no admissible evidence establishing the date of publication.</p> <p><b>Authenticity:</b> The exhibit is not authenticated as required by FRE 901 and is not self-authenticating.</p>
Ex. 1009 (ANSI T1.413-1995 – Network and Customer Installation Interfaces – Asymmetric Digital Subscriber Line (ADSL) Metallic Interface”)	<p><b>Hearsay:</b> The exhibit constitutes inadmissible hearsay, and no hearsay exception applies. <i>See</i> FRE 801-807. Additionally, Petitioner has provided no admissible evidence establishing the date of publication.</p> <p><b>Authenticity:</b> The exhibit is not authenticated as required by FRE 901 and is not self-authenticating.</p>

Exhibit	Objection
<p>Ex. 1010 (Standards Committee T1 – Telecommunications, Procedures Manual)</p>	<p><b>Relevance:</b> The exhibit is not relevant under FRE 402 to any ground upon which trial was instituted.</p> <p><b>Confusion, Delay, and Waste of Time:</b> To the extent that this exhibit has any other relevance to the Petition, that relevance was not raised by the Petition, and any argument for raising it now would result in confusion, delay, and wasted time. <i>See</i> FRE 403.</p> <p><b>Hearsay:</b> The exhibit constitutes inadmissible hearsay, and no hearsay exception applies. <i>See</i> FRE 801-807.</p> <p><b>Authenticity:</b> The exhibit is not authenticated as required by FRE 901 and is not self-authenticating.</p>
<p>Ex. 1011 (T1E1.4/97-362 Meeting Report, September 22-25, 1997)</p>	<p><b>Relevance:</b> The exhibit is not relevant under FRE 402 to any ground upon which trial was instituted.</p> <p><b>Confusion, Delay, and Waste of Time:</b> To the extent that this exhibit has any other relevance to the Petition, that relevance was not raised by the Petition, and any argument for raising it now would result in confusion, delay, and wasted time. <i>See</i> FRE 403.</p> <p><b>Hearsay:</b> The exhibit constitutes inadmissible hearsay, and no hearsay exception applies. <i>See</i> FRE 801-807.</p> <p><b>Authenticity:</b> The exhibit is not authenticated as required by FRE 901 and is not self-authenticating.</p>

<b>Exhibit</b>	<b>Objection</b>
Ex. 1012 (T1E1.4/97-463 Meeting Report, December 8-11, 1997)	<p><b>Relevance:</b> The exhibit is not relevant under FRE 402 to any ground upon which trial was instituted.</p> <p><b>Confusion, Delay, and Waste of Time:</b> To the extent that this exhibit has any other relevance to the Petition, that relevance was not raised by the Petition, and any argument for raising it now would result in confusion, delay, and wasted time. <i>See</i> FRE 403.</p> <p><b>Hearsay:</b> The exhibit constitutes inadmissible hearsay, and no hearsay exception applies. <i>See</i> FRE 801-807.</p> <p><b>Authenticity:</b> The exhibit is not authenticated as required by FRE 901 and is not self-authenticating.</p>
Ex. 1014 (ATIS correspondence re: Implementation of Section 273 of the Communications Act of 1934)	<p><b>Relevance:</b> The exhibit is not relevant under FRE 402 to any ground upon which trial was instituted.</p> <p><b>Confusion, Delay, and Waste of Time:</b> To the extent that this exhibit has any other relevance to the Petition, that relevance was not raised by the Petition, and any argument for raising it now would result in confusion, delay, and wasted time. <i>See</i> FRE 403.</p> <p><b>Hearsay:</b> The exhibit constitutes inadmissible hearsay, and no hearsay exception applies. <i>See</i> FRE 801-807.</p> <p><b>Authenticity:</b> The exhibit is not authenticated as required by FRE 901 and is not self-authenticating.</p>

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