

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PRIME FOCUS CREATIVE SERVICES CANADA INC.,
Petitioner

v.

LEGEND3D, INC.,
Patent Owner

CASE IPR2016-01243
Patent 7,907,793

**PETITIONER'S OBJECTIONS TO EXHIBITS
PURSUANT TO 37 C.F.R. § 42.64**

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A. **OBJECTIONS TO EXHIBIT 2018**

Petitioner objects to Ex. 2018, which Patent Owner asserts is a copy of the deposition transcript of Dr. David Forsyth in IPR2016-00806. Grounds for objection: 37 C.F.R. § 42.53(f); F.R.E. 106 and 1002. This document is not signed by the deponent, nor does it include the errata sheets prepared by the deponent. As such, this “rough” transcript is incomplete, inaccurate, and does not comply with the applicable statutory requirements.

B. **OBJECTIONS TO EXHIBIT 2024**

Petitioner hereby objects to Ex. 2024, which purports to be a declaration from Mr. Carlos Vazquez. Grounds for objection: 37 C.F.R. § 42.65; F.R.E. 702 and 703. This declaration contains opinions for which the factual bases have not been disclosed, including numerous conclusory statements made without citation to evidence or explanation. *See, e.g.*, Ex. 2024 at ¶¶ 43-44 (offering a claim construction of the term “depth parameter” without any specific citation to the ‘793 Patent); *see generally id.* at Sections VI through IX. This declaration contains statements based on unreliable analysis or methods, including statements that are demonstrably false. *See, e.g., id.* at ¶ 14 (Mr. Vazquez claiming that he reviewed his own declaration “In preparation” of the same declaration); *see generally id.* at Sections VI through IX. This document contains statements that are not actually Mr. Vazquez’s opinion, as will be further probed in subsequent discovery. *See, e.g.*,

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id. at ¶ 32 (claiming that “perceived shape implies perceived depth”); *see generally id.* at Sections VI through IX.

Date: March 31, 2017

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. 42.6, the undersigned certifies that on March 31, 2017, a copy of the foregoing document was served electronically to the email addresses listed below:

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