

Case IPR2016-01257
Patent No. 8,457,113

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,

Petitioners,

v.

FOCAL IP, LLC,

Patent Owner

Case IPR2016-01257
Patent 8,457,113

**PETITIONER'S OBJECTIONS TO EVIDENCE SUBMITTED UNDER 37
C.F.R. § 42.64(b)(1)**

Pursuant to 37 C.F.R. § 42.64(b)(1), the petitioner, Cisco Systems, Inc. (“Petitioner”), hereby objects to the following evidence submitted, relied on, or cited to, by patent owner, Focal IP, LLC (“Patent Owner”) for *Inter Partes* Review of United States Patent No. 8,457,113, in connection with Patent Owner’s Response and Contingent Motion to Amend filed on April 3, 2017.

1. Exhibits 2020 and 2029 (excerpts of deposition transcripts) are objected to as irrelevant under Fed. R. Ev. 401-403 and 37 C.F.R. § 42.62 because the Exhibits pertain to different institutions, are beyond the scope of the instituted *inter partes* review, and are unfairly prejudicial, misleading, and confuse the issues. Further, Exhibits 2020 and 2029 are objected to under Fed. R. Ev. 1006 because Patent Owner has provided incomplete excerpts.
2. Exhibits 2026, 2028, 2030, 2064, and 2065 (excerpts of declarations) are objected to as irrelevant under Fed. R. Ev. 401-403 and 37 C.F.R. § 42.62 because the Exhibits pertain to different institutions, are beyond the scope of the instituted *inter partes* review, and are unfairly prejudicial, misleading, and confuse the issues. Further, Exhibits 2026, 2028, 2030, 2064, and 2065 are objected to under Fed. R. Ev. 1006 because Patent Owner has provided incomplete excerpts.
3. Exhibits 2023, 2024, and 2025 (excerpts of IPR petitions) are objected to as irrelevant under Fed. R. Ev. 401-403 and 37 C.F.R. § 42.62 because the

Exhibits pertain to different institutions, are beyond the scope of the instituted *inter partes* review, and are unfairly prejudicial, misleading, and confuse the issues. Further, Exhibits 2023, 2024 and 2025 are objected to under Fed. R. Ev. 1006 because Patent Owner has provided incomplete excerpts.

4. Exhibit 2041 is objected to for improperly exceeding the page limits as set forth by 37 C.F.R. § 42.24. Further, Exhibit 2041 is objected to given that the Exhibit is in direct violation with the Court's instruction on the issue. (See Paper 24.)

These objections have been timely made, filed, and served within 5 business days from the April 3, 2017 Patent Owner's Response.

April 10, 2017

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Respectfully submitted,
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/Wayne O. Stacy/
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CERTIFICATE OF SERVICE

I hereby certify pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(a) that the foregoing was served electronically via email on the following:

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