

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CISCO SYSTEMS, INC.,

Petitioner

v.

FOCAL IP, LLC,

Patent Owner

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Case IPR2016-01257  
Patent Number: 8,457,113

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**PATENT OWNER FOCAL IP, LLC'S SUPPLEMENTAL OBJECTIONS  
TO EVIDENCE SUBMITTED UNDER 37 C.F.R. § 42.64(b)(1)**

As authorized by the Board via e-mail on July 14, 2017, and pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner Focal IP, LLC hereby objects to the following evidence submitted in connection with Petitioner's refiled Reply to Patent Owner's Response, filed on July 11, 2017.

1. Exhibit 1161 (Excerpts of Transcript of Deposition of Dr. Thomas F. La Porta in IPR2016-01259, IPR2016-01261, IPR2016-01262, and IPR2016-01263) is objected to as hearsay under Fed. R. Evid. 801-802, for at least the reasons that it is a transcript of a deposition taken in other proceedings with different declarants, claims, grounds, and/or prior art at issue. In addition, Exhibit 1161 is objected to under Fed. R. Evid. 401-403 because the deposition was taken in different proceedings with different declarants, claims, and/or prior art at issue. The Exhibit is therefore irrelevant to this proceeding. Additionally, Exhibit 1161 is unfairly prejudicial, misleading, and confuses the issues. Petitioner did not utilize an expert declaration that relies on Exhibit 1161 to form the basis of an opinion.

This objection is in addition to the objections to evidence submitted in connection with Petitioner's Reply that Patent Owner filed on June 20, 2017.

Dated: July 21, 2017

Respectfully Submitted,

/s/ Brent N. Bumgardner  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 21st day of June 2017, a copy of Patent Owner FOCAL IP, LLC's Supplemental Objections to Evidence Submitted Under 37 C.F.R. § 42.64(b)(1) has been served in its entirety via email on the following:

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Dated: July 21, 2017

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