

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GENERAL ELECTRIC COMPANY,
Petitioner,

v.

UNITED TECHNOLOGIES CORPORATION,
Patent Owner.

Case IPR2016-01289
Patent Number: 7,060,360

**PETITIONER'S OBJECTIONS TO ADMISSIBILITY OF EVIDENCE
SERVED WITH PATENT OWNER UNITED TECHNOLOGIES
CORPORATION'S PRELIMINARY RESPONSE TO PETITION FOR
INTER PARTES REVIEW**

Pursuant to 37 C.F.R § 42.64(b), Petitioner General Electric Company, hereby objects as follows to the admissibility of evidence with Patent Owner United Technologies Corporation’s Preliminary Response to Petition for *Inter Partes* review of U.S. Patent No. 7,060,360 (IPR2016-01289).

Evidence	Objections
Exhibit UTC-2001	<p>FRE 401-402: The exhibit is not relevant to any ground upon which trial was instituted.</p> <p>FRE 403: The exhibit’s probative value to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.</p> <p>FRE 602: Paragraphs 34-61, 70-75, 78-79, 82-84, and 87-117 of the exhibit include assertions for which evidence has not been introduced sufficient to show that the witness has personal knowledge of the matters asserted.</p> <p>FRE 701/702/703: Paragraphs 34-61, 70-75, 78-79, 82-84, and 87-117 include opinions that are not</p>

Evidence	Objections
	<p>admissible under FRE 701, 702, and/or 703, or <i>Daubert v. Merrell Dow Pharms., Inc.</i>, 509 U.S. 579 (1993).</p> <p>FRE 801/802: The exhibit includes inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p>FRE 1006: The exhibit provides an improper summary of the evidence.</p> <p>FRE 705 / 37 C.F.R. § 42.65: The exhibit includes expert testimony that does not disclose the underlying facts or data.</p>
<p>Exhibit UTC-2002</p>	<p>Lack of Foundation: Patent Owner has not provided sufficient explanation of what the exhibit is or what it allegedly shows.</p> <p>FRE 106: The exhibit violates the rule of completeness.</p> <p>FRE 401-402: The exhibit is not relevant to any ground upon which trial was instituted.</p> <p>FRE 403: The exhibit's probative value to any</p>

Evidence	Objections
	<p>ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.</p> <p>FRE 801/802: The exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p>FRE 901: Patent Owner has not produced evidence sufficient to support a finding that the exhibit is what Patent Owner claims it is.</p>
<p>Exhibit UTC-2003</p>	<p>Lack of Foundation: Patent Owner has not provided sufficient explanation of what the exhibit is or what it allegedly shows.</p> <p>FRE 401-402: The exhibit is not relevant to any ground upon which trial was instituted.</p> <p>FRE 403: The exhibit's probative value to any ground upon which trial was instituted is substantially outweighed by the danger of unfair</p>

Evidence	Objections
	<p>prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.</p> <p>FRE 801/802: The exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p>FRE 805: The exhibit includes improper hearsay within hearsay.</p> <p>FRE 901: Patent Owner has not produced evidence sufficient to support a finding that the exhibit is what Patent Owner claims it is.</p>
<p>Exhibit UTC-2004</p>	<p>Lack of Foundation: Patent Owner has not provided sufficient explanation of what the exhibit is or what it allegedly shows.</p> <p>FRE 106: The exhibit violates the rule of completeness.</p> <p>FRE 401-402: The exhibit is not relevant to any ground upon which trial was instituted.</p> <p>FRE 403: The exhibit's probative value to any</p>

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