

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GLOBAL TEL*LINK CORPORATION
Petitioner

v.

SECURUS TECHNOLOGIES, INC.
Patent Owner

Case IPR2016-01362
Patent 9,083,850 B1

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

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Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Petitioner Global Tel*Link Corporation hereby objects under the Federal Rules of Evidence (“FRE”) and 37 C.F.R. § 42.62 to the admissibility of the following evidence submitted by Patent Owner.

Exhibit 2002—Declaration of Alan C. Bovik

Petitioner objects to Exhibit 2002, the Bovik declaration, under FRE 703 as relying on improper evidence under FRE 401, 801, and 901—as the prejudicial effect of this evidence outweighs any probative value that it may have. *E.g.*, Bovik Decl. ¶¶ 81 and 140-145. The following paragraphs provide specific objections to at least one of the documents that Dr. Greenspun references in his declaration, and to the extent Dr. Greenspun relies on this document, Petitioner objects to his testimony for the same reasons.

To the extent Patent Owner relies on the contents of the Bovik Declaration for the truth of the matter asserted, Petitioner objects to such contents as inadmissible hearsay under FRE 801 and 802 that does not fall under any exceptions, including those of FRE 803, 804, 805, or 807.

Exhibit 2003—Merriam-Webster Collegiate Dictionary Tenth Edition.

To the extent Patent Owner relies on the contents of Exhibit 2003 for the truth of the matter asserted, Petitioner objects to such contents as inadmissible hearsay under FRE 801 and 802 that does not fall under any exceptions, including those of FRE 803, 804, 805, or 807.

Petitioner objects to this document as not properly authenticated under FRE 901 because Patent Owner has not presented sufficient evidence to show that the document is authentic nor that the document is self-authenticating under FRE 902.

To the extent Patent Owner relies on the contents of this document to prove the content of the original document, Petitioner objects to this document as not being an original document under FRE 1002, an authentic duplicate under FRE 1003, nor a document that falls under any exceptions to the original-document requirement, including those of FRE 1004.

Exhibit 2006— DSKeye Gigabit Product Brief.

To the extent Patent Owner relies on the contents of Exhibit 2006 for the truth of the matter asserted, Petitioner objects to such contents as inadmissible hearsay under FRE 801 and 802 that does not fall under any exceptions, including those of FRE 803, 804, 805, or 807.

Petitioner objects to this document as not properly authenticated under FRE 901 because Patent Owner has not presented sufficient evidence to show that the document is authentic nor that the document is self-authenticating under FRE 902.

To the extent Patent Owner relies on the contents of this document to prove the content of the original document, Petitioner objects to this document as not being an original document under FRE 1002, an authentic duplicate under FRE

1003, nor a document that falls under any exceptions to the original-document requirement, including those of FRE 1004.

These objections are made pursuant to 37 C.F.R. § 42.64(b)(1) within five
business days of service of evidence to which the objections are directed.

Respectfully submitted,
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Byron L. Pickard/

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