

Filed on behalf of TQ Delta, LLC

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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.

TQ DELTA, LLC,  
Patent Owner.

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Case IPR2016-01760  
Patent No. 9,094,268

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

*Patent Owner's Objections to Evidence*

*IPR2016-01760*

*U.S. Patent No. 9,094,268*

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner TQ Delta, LLC (“Patent Owner”) hereby files and serves the following objections to evidence that Petitioner Cisco Systems, Inc.’s (“Cisco”) submitted with its Reply. A chart listing Patent Owner’s objections and its basis for the objections is provided below.

<b>Exhibit</b>	<b>Objection</b>
Ex. 1012 (Declaration of Dr. Sayfe Kiaei)	<b>Relevance:</b> ¶¶ 1-4, 7, 24, and 25 are not cited in the Reply and, therefore, are not relevant. F.R.E. 402; F.R.E. 403; 37 C.F.R. § 42.61.  ¶¶ 4-14 and 16- 24 provide new evidence going to the alleged invalidity of the challenged claims. These sections are improperly introduced by the Reply. These sections are not relevant and are improper. <i>See</i> F.R.E. 402; F.R.E 403; 37 C.F.R. § 42.23; 37 C.F.R. § 42.61; 37 C.F.R. § 42.223; 77 Fed. Reg. 48,756, 48,767; 77 Fed. Reg. 48612, 48620.
Ex. 1016 (U.S. Pat. No. 5,909,463)	<b>Relevance:</b> Ex. 1016 provides new evidence going to the alleged invalidity of the challenged claims. This exhibit is improperly introduced by the Reply. This exhibit is not relevant and, thus, is improper. <i>See</i> F.R.E. 402; F.R.E 403; 37 C.F.R. § 42.23; 37 C.F.R. § 42.61; 37 C.F.R. § 42.223; 77 Fed. Reg. 48,756, 48,767; 77 Fed. Reg. 48612, 48620.

These objections are made, filed, and served within five business days of service of Petitioner’s Reply.

*Patent Owner's Objections to Evidence*  
*IPR2016-01760*  
*U.S. Patent No. 9,094,268*

Dated: September 1, 2017

Respectfully submitted,

/Peter J. McAndrews/

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*Lead Counsel for Patent Owner*

*Patent Owner's Objections to Evidence*  
*IPR2016-01760*  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **Patent Owner's Objections To Evidence Pursuant To 37 C.F.R. 42.64(b)(1)** was served on September 1, 2017, via email to counsel for Petitioners at the following:

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