

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

REACTIVE SURFACES LTD., LLP

Petitioner

v.

TOYOTA MOTOR CORPORATION

Patent Owner

Case: IPR2016-01914

Patent No. 8,394,618 B2

**PETITIONER'S OBJECTIONS TO EVIDENCE
PURSUANT TO 37 C.F.R. § 42.64**

Pursuant to 37 C.F.R. § 42.64, Petitioner Reactive Surfaces Ltd. LLP objects to the admissibility of the following exhibits submitted by Patent Owner Toyota Motor Corporation in the proceeding¹:

Exhibit 2010

Exhibit 2010 (“Declaration of Jonathan Dordick, Ph.D.”) is objected to under F.R.E. 702 (improper expert testimony). Exhibit 2010 is also objected to under F.R.E. 703 as the testimony is based on facts or data that an expert in this field would not reasonably rely on. Exhibit 2010 is further objected to insofar as it cites or refers to exhibits that have been objected to. (Patent Owner’s Exhibits 2011, 2013, 2015). Still further, Exhibit 2010 is further objected to insofar as it cites or refers to a Patent Owner exhibit that has not been identified by Patent Owner or served on Petitioner (i.e., Patent Owner’s Exhibit 2017 referenced at page 25). Petitioner reserves its right to assert objections directed to Patent Owner’s Exhibit 2017, when and if such Exhibit is served thereon.

Exhibit 2011

¹ In this paper, a reference to “F.R.E.” means the Federal Rules of Evidence, and a reference to “C.F.R.” means the Code of Federal Regulations.

Exhibit 2011 (“Barnett, P.D. & Berger, R.A., *The Effects of Temperature and Humidity on the Permanency of Latent Fingerprints*, 16 J. FORENSIC SCI. SOC. 249 (1977)”) is objected to under F.R.E. 802 as hearsay and is further objected to under F.R.E. 901 for lack of authentication.

Exhibit 2013

Exhibit 2013 (“Mong, G.M. et. al., *Advanced Fingerprint Analysis Project Fingerprint Constituents*, Technical Report, Pacific Northwest Laboratory (1999)”) is objected to under F.R.E. 802 as hearsay and is further objected to under F.R.E. 901 for lack of authentication.

Exhibit 2015

Exhibit 2015 (“Craig, C. & Byrd, J., *How Does Fingerprint Powder Work?*, Scientific American (2002)”) is objected to under F.R.E. 802 as hearsay and is further objected to under F.R.E. 901 for lack of authentication.

These objections have been timely made within five (5) business days from the Filing of Patent Owner’s Response.

Dated: August 14, 2017

Respectfully submitted,

By: /s/ David O. Simmons

David O. Simmons, Reg. No. 43,124
Lead Counsel

Email: dsimmons@ivcpatentagency.com

Counsel for Petitioner, Reactive
Surfaces LTD., LLP

CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4)(i) and 42.105(b), the undersigned hereby certifies that a copy of this **PETITIONER'S OBJECTIONS TO EVIDENCE PURSUANT TO 37 C.F.R. § 42.64** for *inter partes* review of U.S. Patent No. 8,394,618 B2 was served on August 14, 2017 by email on the following counsel of record for Patent Owner:

Joshua A. Lorenz (joshua.lorenz@dinsmore.com)

Richard H. Schabowsky (richard.schabowsky@dinsmore.com)

John D. Luken (john.luken@dinsmore.com)

Oleg Khariton (oleg.khariton@dinsmore.com)

/s/ David O. Simmons

David O. Simmons, Reg. No. 43,124
Lead Counsel

Email: dsimmons@ivcpatentagency.com

Counsel for Petitioner, Reactive
Surfaces LTD., LLP