

## Ghiam, Armin

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**From:** Ghiam, Armin  
**Sent:** Wednesday, November 29, 2017 5:54 PM  
**To:** 'Jennifer Meredith'  
**Cc:** 'Darius Keyhani'; Mortazavi, Sheila; Billah, Zaed; Quan, Liberty  
**Subject:** IPR2017-00117 & IPR2017-01036 - Kawasaki Rail Car v. Blair

Counsel,

At the depositions of Lowell Malo, counsel for Patent Owner marked as Patent Owner Exhibit 8 a document entitled "CPSC Guidelines For Television Receive Safety." This document is allegedly authored by the United States Consumer Product Safety Commission.

As indicated yesterday, Kawasaki objects to Exhibit 8. Under Fed. R. Evid. 802, Exhibit 8 constitutes inadmissible hearsay for which no exception has been established to the extent it is offered by Patent Owner to prove the truth of any matter asserted therein. Kawasaki further objects to Exhibit 8 as irrelevant pursuant to Fed. R. Evid. 401, and therefore inadmissible under Fed. R. Evid. 402 or Fed. R. Evid. 403. In particular, Exhibit 8 is irrelevant for any non-hearsay purpose. If Patent Owner attempts to include Exhibit 8 as all or part of a 37 CFR 42.63 Exhibit, Kawasaki will maintain these objections.

Sincerely,

**Armin Ghiam**

Associate

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