

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,  
Petitioner,

v.

CALIFORNIA INSTITUTE OF TECHNOLOGY,  
Patent Owner.

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Case IPR2017-00210  
Patent 7,116,710

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**PATENT OWNER'S FIFTH NOTICE OF OBJECTION TO EVIDENCE**

## **I. INTRODUCTION**

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner California Institute of Technology (“Caltech”), submits the following objections to Petitioner Apple Inc.’s (“Petitioner”) Exhibit 1075. As required by 37 C.F.R. § 42.62, Patent Owner’s objections below apply the Federal Rules of Evidence (“F.R.E.”).

## **II. OBJECTIONS**

Caltech objects to Ex. 1075, “Fulbright Global Award Description”.

Grounds for Objection: F.R.E. 401 (Test for Relevant Evidence); F.R.E. 402 (General Admissibility of Relevant Evidence); F.R.E. 403 (Excluding Relevant Evidence for Prejudice, Confusion, Waste of Time, or Other Reasons).

Exhibit 1075 is a description of the Fulbright Award. Exhibit 1075 was submitted for the first time by Petitioner with its opposition to Patent Owner’s motion to exclude evidence. Exhibit 1075 is not responsive to any argument advanced in Caltech’s motion to exclude evidence. It is non-responsive and lacks relevance at least because the existence of the Fulbright Award is not in dispute.

## **III. CONCLUSION**

Exhibit 1075 was filed and served on March 19, 2018. These objections are made within five business days of service.

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Date: March 26, 2018

Respectfully submitted,

/ Michael T. Rosato /  
Michael T. Rosato, Lead Counsel  
Reg. No. 52,182

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**CERTIFICATE OF SERVICE**

I certify that the foregoing Patent Owner's Fifth Notice of Objection to Evidence was served on this 26<sup>th</sup> day of March, 2018, on the Petitioner at the electronic service addresses of the Petitioner as follows:

Richard Goldenberg  
Dominic Massa  
Michael H. Smith  
James M. Dowd  
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Respectfully submitted,

Date: March 26, 2018

/ Michael T. Rosato /  
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