

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

CALIFORNIA INSTITUTE OF TECHNOLOGY,
Patent Owner.

Case IPR2017-00219
Patent 7,116,710

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 1275. 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. 1275, “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 1275 is a description of the Fulbright Award. Exhibit 1275 was submitted for the first time by Petitioner with its opposition to Patent Owner’s motion to exclude evidence. Exhibit 1275 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 1275 was filed and served on March 19, 2018. These objections are made within five business days of service.

Case IPR2017-00210
Patent 7,116,710

Respectfully submitted,

Date: March 26, 2018

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

Case IPR2017-00219
Patent 7,116,710

CERTIFICATE OF SERVICE

I certify that the foregoing Patent Owner's Fifth Notice of Objection to Evidence was served on this 26th 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
Mark D. Selwyn
Arthur Shum
WILMER CUTLER PICKERING HALE AND DORR LLP
richard.goldenberg@wilmerhale.com
dominic.massa@wilmerhale.com
michaelh.smith@wilmerhale.com
james.dowd@wilmerhale.com
mark.selwyn@wilmerhale.com
arthur.shum@wilmerhale.com

Date: March 26, 2018

Respectfully submitted,

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