

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 IPR2017-00297<sup>1</sup>  
Patent 7,916,781

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

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<sup>1</sup> Case IPR2017-00423 has been consolidated with this proceeding.

## **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 1057. 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. 1057, “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 1057 is a description of the Fulbright Award. Exhibit 1057 was submitted for the first time by Petitioner with its opposition to Patent Owner’s motion to exclude evidence. Exhibit 1057 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 1057 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 IPR2017-00297  
Patent 7,916,781

**CERTIFICATE OF SERVICE**

I certify that the foregoing Patent Owner's Third 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  
Mark D. Selwyn  
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Respectfully submitted,

Date: March 26, 2018

/ Michael T. Rosato /  
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