

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner

v.

IMAGE PROCESSING TECHNOLOGIES LLC,
Patent Owner

Case IPR2017-00357
U.S. Patent No. 8,989,445 B2

PAPER NO. 18

**PATENT OWNER'S OBJECTIONS TO
PETITIONER'S EVIDENCE**

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner, Image Processing Technologies LLC (“IPT”) objects to the admissibility of the following exhibits filed by Petitioners.

In this paper, a reference to “FRE” means the Federal Rules of Evidence and “445 patent” means U.S. Patent No. 8,989,445.

IPT’s objections are as follows:

Exhibit 1002 ¶¶ 23–30 (Hart Declaration)

Patent Owner objects to these paragraphs of Exhibit 1002 under FRE 402 (relevance) and FRE 403 (confusing, waste of time).

Exhibit 1002 ¶¶ 177–217 & Table at Pages 201–244 (Hart Declaration)

Patent Owner objects to these paragraphs of Exhibit 1002 under FRE 802 (hearsay). Patent Owner also objects to these paragraphs of Exhibit 1002 under FRE 402 (relevance) and FRE 403 (confusing, waste of time) at least because the paragraphs are not relevant to any issue in this IPR because the grounds for which they were submitted have not been instituted.

Exhibit 1005 (Gilbert)

Patent Owner objects to Exhibit 1005 under FRE 802 (hearsay). Patent Owner also objects to Exhibit 1005 under FRE 402 (relevance) and FRE 403 (unfairly prejudicial, confusing, waste of time) at least because the document is not

relevant to any issue in this IPR proceeding because the disclosure is not prior art and/or Petitioner has not met its burden to show the exhibit to be prior art.

Exhibit 1008 (Altan)

Patent Owner objects to Exhibit 1008 under FRE 802 (hearsay). Patent Owner also objects to Exhibit 1008 under FRE 402 (relevance) and FRE 403 (unfairly prejudicial, confusing, waste of time) at least because the document is not relevant to any issue in this IPR proceeding because the disclosure is not prior art and/or Petitioner has not met its burden to show the exhibit to be prior art.

Exhibit 1009 (Trier)

Patent Owner objects to Exhibit 1009 under FRE 901 because authenticating information has not been provided. Patent Owner also objects to Exhibit 1009 under FRE 402 (relevance) and FRE 403 (unfairly prejudicial, confusing, waste of time) at least because the document is not discussed in the Declaration of Dr. Hart (Exhibit 1002) nor cited to or discussed in the Petition.

Exhibit 1010 (Glauberman)

Patent Owner objects to Exhibit 1010 under FRE 901 because authenticating information has not been provided. Patent Owner also objects to Exhibit 1010 under FRE 402 (relevance) and FRE 403 (unfairly prejudicial, confusing, waste of time) at least because the document is not discussed in the Declaration of Dr. Hart (Exhibit 1002) nor cited to or discussed in the Petition.

Exhibit 1011 (Grenier Declaration)

Patent Owner objects to Exhibit 1011 under FRE 802 (hearsay).

Dated: June 9, 2017

/s/Chris J. Coulson/

Chris J. Coulson (Reg. No. 61,771)

Lead Counsel for Patent Owner

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