

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

CALIFORNIA INSTITUTE OF TECHNOLOGY,
Patent Owner.

Case IPR2017-00728
Patent 7,421,032

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 April 11, 2018. These objections are made within five business days of service.

Case IPR2017-00728
Patent 7,421,032

Respectfully submitted,

Date: April 18, 2018

/ 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 18th day of April, 2018, on the Petitioner at the electronic service addresses of the Petitioner as follows:

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Dominic Massa
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Respectfully submitted,

Date: April 18, 2018

/ Michael T. Rosato /

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