

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEALS BOARD

NFL ENTERPRISES LLC,
Petitioner

v.

OPENTV, INC.
Patent Owner

Case No.: IPR2017-02092
Patent No. 6,233,736

PATENT OWNER'S OBJECTIONS TO EVIDENCE
PURSUANT TO 37 C.F.R. § 42.64(b)(1)

Pursuant to 37 C.F.R. § 42.64(b)(1), OpenTV hereby submits the following objections to NFL Exhibit 1006.

Exhibit 1006

OpenTV objects to Exhibit 1006 under Rules 403 and 702 of the Federal Rules of Evidence and 37 C.F.R. § 42.65. Mr. Bradner's opinions are conclusory, lack sufficient explanation, are not based on sufficient facts or data, and are not the product of reliable principles and methods reliably applied to the facts of the case, at least because Mr. Bradner opines on claim construction but fails to apply or consider relevant law on claim construction, *see, e.g.*, Ex. 1006 at ¶¶ 14-17, 93-104, and because Mr. Bradner lacks the relevant technical experience necessary to opine on claim construction or patentability. Accordingly, Ex. 1006 is an improper declaration and is more prejudicial than it is of probative value.

Dated: April 2, 2018

Respectfully submitted,

By: /Cory C. Bell/
Cory C. Bell,
Registration No. 75,096

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **PATENT OWNER'S OBJECTIONS TO EVIDENCE PURSUANT TO 37 C.F.R. § 42.64(b)(1)** was served on April 2, 2018 via email directed to counsel of record for the Petitioner at the following:

Stephen C. Stout, Lead Counsel
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Petitioner consents to electronic service.

Dated: April 2, 2018

By: /Lauren K. Young/
Lauren K. Young
Litigation Legal Assistant
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.