

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS, INC.
Petitioner,

v.

UNIVERSAL SECURE REGISTRY LLC
Patent Owner

Case IPR2018-00067
U.S. Patent No. 8,577,813

**PATENT OWNER'S OBJECTIONS TO EVIDENCE
PURSUANT TO 37 C.F.R. § 42.64**

Pursuant to 37 C.F.R. § 42.64(b)(1), Universal Secure Registry LLC ("Patent Owner") submits the following objections to evidence that Petitioner Unified Patents Inc. ("Petitioner") served in its Petitioner's Response in Opposition to Patent Owner's Contingent Motion to Amend (Paper 34). These objections are timely filed and served within five business days of Petitioner Response.

Evidence	Objections
Exhibit 1022	<p>Patent Owner objects to this exhibit because it includes information that is not discussed sufficiently in the Petition. Admissibility of such declaration would permit the use of declarations to circumvent page limits that apply to petitions.</p> <p>FRE 602, 702, 703: Patent Owner objects to this exhibit to the extent it is irrelevant, the testimony is based on a lack of personal knowledge or speculation, includes insufficient facts or data, is not based on a reliable foundation, and constitutes conclusory opinions without sufficient support. For example, Exhibit 1022 includes repeated assertions that its proposed modifications to the prior art would have required "only minor modifications," would have involved "well-known" techniques, benefits or modification, and would have "enhanced" security, without any basis, evidence or support for these claims. For example, USR objects to the following paragraphs: ¶¶ 4, 6, 8, 12, 16-17, 22-23, 27-28, 33-34, 38-41, 45.</p> <p>Patent Owner also objects to this exhibit to the extent it relies upon exhibits that Patent Owner objected to in its Corrected Patent Owner's Objection to Evidence (Paper No. 18) and for which Petitioner did not timely submit any supplemental evidence, including Exhibits 1008-1009 and 1011-1018.</p>
Exhibit 1026	<p>FRE 401, 402, and 403: Patent Owner objects to this exhibit because it is not relied on as a reference and is</p>

	<p>irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence. Petitioner does not allege that the challenged claims are anticipated or obvious based on this exhibit, or that the claim at issue in Exhibit 1026 are the same as those in the '813 patent. Instead, Petitioner uses it to make misleading and inaccurate characterizations about a pending application involving different claims.</p>
Exhibit 1027-1031	<p>FRE 401, 402, and 403: Patent Owner objects to these exhibits because they are not cited and discussed in the Petition, are not relied on as a reference and are irrelevant, and their probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p> <p>FRE 901: Patent owner also objects to Exhibits 1027 and 1031 as unauthenticated documents that are not self-authenticating under FRE 902. Thus, Exhibits 1027 and 1031 lack authentication.</p> <p>Patent Owner further objects to Exhibits 1027 and 1031 to the extent that Petitioner attempts to rely on these exhibits as prior art or to show the alleged state of the art or understanding of a "PHOSITA." Petitioner has not demonstrated Exhibits 1027 and 1031 are "printed publication" within the meaning of 35 U.S.C. §§ 102 and 311(b).</p>

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Patent Owner's Objections to Evidence

Date: November 16, 2018

Respectfully Submitted,

/s/ James Glass

Registration No. 46,729

Quinn Emanuel Urquhart &
Sullivan LLP

51 Madison Avenue, 22nd Floor

New York, NY 10010

Tel. (212) 849-7000

Fax. (212) 849 7100

Counsel for Patent Owner Universal Secure
Registry LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Patent Owner's Objections to Evidence were served on counsel of record for the Petitioner on November 16, 2018, at the following addresses:

Lead Counsel	Back-Up Counsel
Jason R. Mudd (Reg. No. 57,700) jason.mudd@eriseip.com ptab@eriseip.com Postal and Hand-Delivery Address: ERISE IP, P.A. 6201 College Blvd., Suite 300 Overland Park, Kansas 66211 Telephone: (913) 777-5600	Roshan Mansinghani (Re. No. 62,429) roshan@unifiedpatents.com Postal and Hand-Delivery Address: Unified Patents Inc. 13355 Noel Road, Suite 1100 Dallas, TX, 75240 Telephone: (214) 945-0200 Eric A. Buresh (Reg. No. 50,394) eric.buresh@eriseip.com ptab@eriseip.com Postal and Hand-Delivery Address: ERISE IP, P.A. 6201 College Blvd., Suite 300 Overland Park, Kansas 66211 Telephone: (913) 777-5600 Jonathan Stroud (Reg. No. 72,518) jonathan@unifiedpatents.com Postal and Hand-Delivery Address: Unified Patents Inc. 1875 Connecticut Ave. NW, Floor 10 Washington, D.C. 20009 Telephone: (202) 805-8931

Date: November 16, 2018

Signed: /James M. Glass/
James M. Glass
Registration No. 46,729
Counsel for Patent Owner
Universal Secure Registry LLC