

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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INTEL CORP., CAVIUM, INC., and DELL INC.,  
Petitioners,

v.

ALACRITECH, INC.,  
*Patent Owner*

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Case IPR2018-00234<sup>1</sup>  
U.S. Patent No. 8,805,948

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

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<sup>1</sup> Cavium LLC (formerly Cavium, Inc.), which filed a Petition in Case IPR2018-00403, and Dell Inc., which filed a Petition in Case IPR2018-01307, have been joined as petitioners in this proceeding.

Pursuant to 37 C.F.R. § 42.64(b), Patent Owner, Alacrittech, Inc. hereby makes the following objections to the admissibility of documents submitted with Petitioner's Opposition to Patent Owner's Motion to Exclude.

Evidence	Objections
Ex. 1447 (District Court Expert Reports Cover Pages)	<p><b>FRE 106:</b> Patent Owner objects to this exhibit because it creates a misleading impression by taking matters out of context.</p> <p><b>FRE 403:</b> Patent Owner objects to this exhibit because its probative value is substantially outweighed by a danger of one or more of the following: unfair prejudice, confusing the issues, misleading the Board, and undue delay.</p> <p>PO would withdraw these objections if Petitioners file, or provide written permission under the District Court Protective Order to allow PO to file, by <i>February 22, 2019</i>, the entire expert reports addressed in Ex. 1447 under the Board's protective order as PETITIONER'S RESTRICTED – ATTORNEYS' EYES ONLY.</p>
Ex. 1452 (Intel Declaration)	<p><b>FRE 106:</b> Patent Owner objects to this exhibit because it creates a misleading impression by taking matters out of context.</p> <p><b>FRE 403:</b> Patent Owner objects to this exhibit because its probative value is substantially outweighed by a danger of one or more of the following: unfair prejudice, confusing the issues, misleading the Board, and undue delay.</p> <p><b>FRE 801:</b> Patent Owner also objects to this exhibit because it is hearsay under FRE 801 and does not fall within the hearsay exceptions under FRE 803.</p>

Date: February 19, 2019

Respectfully submitted,

By: /s/ James M. Glass, Reg. No. 46,729  
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*Lead Attorney for Patent Owner –  
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**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certify that PATENT OWNER'S OBJECTIONS TO EVIDENCE was served on February 19, 2019 by filing it through the Patent Review Processing System, as well as by e-mailing copies to:

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