

**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, Alacritech, Inc. hereby makes the following objections to the admissibility of documents submitted with Petitioner's Opposition to Patent Owner's Motion to Exclude.

<b>Evidence</b>	<b>Objections</b>
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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