

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SONY CORPORATION,  
Petitioner

v.

FUJIFILM CORPORATION,  
Patent Owner

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*Inter Partes* Review No. IPR2018-00876  
Patent 6,462,905

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**PATENT OWNER'S OBJECTIONS UNDER 37 C.F.R. § 42.64  
TO PETITIONER'S EVIDENCE SUBMITTED WITH  
PETITIONER'S REPLY IN *INTER PARTES* REVIEW OF U.S.  
PATENT NO. 6,462,905**

Patent Owner's Objections to Petitioner's Evidence for IPR2018-00876

FUJIFILM Corporation ("Patent Owner") respectfully submits the following objections to exhibits filed by Petitioner on March 27, 2019, in conjunction with Petitioner's Reply in the *Inter Partes* Review of U.S. Patent No. 6,462,905 ("Petitioner's Reply"). These objections are made within five business days of service of evidence to which the objection is directed on March 27, 2019 (*see* Paper No. 25).

The following chart lists Patent Owner's objections to the admissibility of certain evidence (identified below) that is included within or accompanies the Petitioner's Reply and the basis for those objections:

Objected to Exhibit(s)	Basis for Objection
<p><b>Ex. 1033</b> ("Reply Declaration of Thomas W. Von Alten")</p> <p><b>¶¶ 7, 9-11, 15, 19, 21, 23, 26, 33, 34, 36, 43, 45, 46, 48, 49, 51-53, 57, 59, and 68.</b></p>	<p><b>FRE 702:</b> The opinions expressed in these paragraphs are based on insufficient facts or data, do not help the trier of fact understand the evidence or determine a fact in issue, are not the product of reliable principles and methods, and include analysis that is not reliably applied to the facts of the case.</p> <p><b>FRE 802:</b> This evidence cites to and incorporates hearsay. Because no hearsay exception applies, the identified paragraphs are inadmissible in this</p>

Patent Owner's Objections to Petitioner's Evidence for IPR2018-00876

Objected to Exhibit(s)	Basis for Objection
	<p>proceeding. For example, the declaration relies upon exhibits which, as explained below, are inadmissible.</p> <p><b>FRE 401-403:</b> This evidence is irrelevant to the extent it cites to or relies on an exhibit or document not relied upon by Petitioner in any Ground of its <i>inter partes</i> review Petition, or which has not been served, authenticated or proven as a prior art reference.</p>
<p><b>Ex. 1034</b> ("ECMA-319")</p> <p><b>Ex. 1036</b> ("Definition of Projection")</p>	<p><b>FRE 901:</b> These exhibits have not been authenticated. Petitioner has not provided sufficient evidence regarding the origin of the documents or whether the documents are true and correct copies.</p> <p><b>FRE 802:</b> This evidence cites to and incorporates hearsay. The exhibits include statements made outside the proceeding and relied upon for the truth of the matters asserted therein. For example, the exhibits purport to establish the knowledge of a person of ordinary skill at the time of the '905 Patent's filing date, or the purported publication or access dates of the</p>

Patent Owner's Objections to Petitioner's Evidence for IPR2018-00876

Objected to Exhibit(s)	Basis for Objection
	<p>exhibits. Because no hearsay exception applies, the statements are inadmissible in this proceeding.</p> <p><b>FRE 401-403:</b> These exhibits are irrelevant because they have not been authenticated and proven as prior art references. The exhibits are also irrelevant because they were not relied upon by Petitioner in any Ground of its <i>inter partes</i> review Petition. Therefore, these exhibits are irrelevant to this <i>inter partes</i> review proceeding.</p>

Patent Owner's Objections to Petitioner's Evidence for IPR2018-00876

Date: April 3, 2019

Respectfully submitted,

/Eliot D. Williams/

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