

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VISA INC. and VISA U.S.A. INC.,
Petitioners,

v.

UNIVERSAL SECURE REGISTRY LLC,
Patent Owner

Case IPR2018-01350
U.S. Patent No. 8,856,539

**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 Petitioners Visa Inc. and Visa U.S.A. Inc. ("Petitioners") served with their Petitioners' Reply to Patent Owner Response (Paper 16) and Petitioners' Opposition to Patent Owner's Conditional Motion to Amend (Paper 17). These objections are timely filed and served within five business days of service of the evidence.

Evidence	Objections
Exhibit 1021	<p>Patent Owner objects to this exhibit because it includes information that is not discussed sufficiently in Petitioners' Opposition to Patent Owner's Conditional Motion to Amend. Admissibility of such declaration would permit the use of declarations to circumvent applicable page limits.</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.</p> <p>FRE 401, 402, and 403: Patent Owner objects to this exhibit because it does not rebut the arguments in Patent Owner's Conditional Motion to Amend, it is irrelevant, and its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, wasting time, and needlessly presenting cumulative evidence.</p>
Exhibits 1016 – 1020, 1022	Patent Owner objects to exhibits 1016-1020 because they improperly introduce new evidence for the first time on Reply. Admissibility of these exhibits would permit Petitioners to violate the requirement that they must include all their theories, arguments, and evidence with their Petition.

	<p>Patent Owner further objects to Petitioners' attempt to rely on exhibits 1016 and 1017 as prior art and/or to show the alleged state of the art or understanding of a POSITA. Petitioners have not demonstrated that these exhibits are "printed publications" within the meaning of 35 U.S.C. §§ 102 and 311(b).</p> <p>FRE 401, 402, and 403: Patent Owner objects to exhibits 1016-1020 and 1022 because they are not relied on as references, they do not rebut the arguments in Patent Owner's Response or Conditional Motion to Amend, and/or Petitioners do not allege that the challenged or substitute claims are anticipated or obvious based on these exhibits. Exhibits 1016-1020 and 1022 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 1016-1020 as unauthenticated documents that are not self-authenticating under FRE 902. Thus, these exhibits lack authentication.</p>
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Date: August 19, 2019

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

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certify that the
PATENT OWNER'S OBJECTIONS TO EVIDENCE PURSUANT TO 37 C.F.R.

§ 42.64 was served on August 19, 2019 by e-mailing copies to:

Matthew A. Argenti (Reg. No. 61,836)
margenti@wsgr.com
Michael T. Rosato (Reg. No. 52,182)
mrosato@wsgr.com
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304-1050

Date: August 19, 2019

Respectfully submitted,

By: /s/ James M. Glass, Reg. No. 46,729
James M. Glass (Reg. No. 46,729)
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010
jimglass@quinnemanuel.com
*Lead Attorney for Patent Owner –
Universal Secure Registry LLC*