

**UNITED STATES PATENT AND TRADEMARK OFFICE**

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

**MICROSOFT CORPORATION**  
Petitioner,

v.

**DIRECTSTREAM, LLC,**  
Patent Owner.

Patent No. 7,620,800

Issued: November 17, 2009

Filed: April 9, 2007

Inventors: Jon M. Huppenthal, David E. Caliga

Title: **MULTI-ADAPTIVE PROCESSING SYSTEMS AND TECHNIQUES  
FOR ENHANCING PARALLELISM AND PERFORMANCE OF  
COMPUTATIONAL FUNCTIONS**

---

*Inter Partes* Review Nos. IPR2018-01605, 01606, and 01607

---

**PETITIONER'S OBJECTIONS TO EVIDENCE**

Petitioner Microsoft Corporation (“Petitioner”) files and serves the following objections to evidence that Patent Owner DirectStream, LLC (“Patent Owner”) served on July 26, 2019. 37 C.F.R. § 42.120. These objections are timely because they are served within five business days of service of the evidence to which the objections are directed. *See id.* (“Once a trial has been instituted, any objection must be filed within five business days of service of evidence to which the objection is directed.”).

**1. Exhibits 2066-2074, 2076, 2078-2100, 2102-2104, 2106-2107, 2110-2111, 2113-2134, 2140-2152, 2156, 2163-2165, and 2170**

Petitioner objects to Exhibits 2066-2074, 2076, 2078-2100, 2102-2104, 2106-2107, 2110-2111, 2113-2134, 2140-2152, 2156, 2163-2165, and 2170 as not being relevant to any issue on which trial has been instituted, lacking authentication, lacking foundation, for containing hearsay, and/or causing undue prejudice. For example, the Patent Owner's Response does not contain any citations to Exhibits 2066-2068, 2076, 2078-2100, 2106-2107, 2111, 2128, 2140, 2156, 2163-2165, and 2170. Furthermore, the Patent Owner's Response does fully cite or discuss at least portions Exhibits 2069, 2102-2104, 2110, 2113-2127, 2129-2134, and 2141-2152, and thus, Petitioners have had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. *See Fed. R. Evid. 401-03.* Patent Owner also fails to offer any evidence that any of these exhibits are what Patent Owner claims them to be. *See Fed. R. Evid. 901.*

As another example, these exhibits are hearsay to the extent that Patent Owner attempts to rely on them to prove the truth of any matter described therein. *See* Fed. R. Evid. 801, 802. Petitioner also objects to Exhibit 2065 as an incomplete excerpt of a larger document. *See* Fed. R. Evid. 106.

## **2. Exhibit 2065, 2075, and 2091**

Petitioner objects to Exhibits 2065, 2075, and 2091 as not being relevant to any issue on which trial has been instituted, for containing hearsay, and/or causing undue prejudice. *See* Fed. R. Evid. 401-03, 801, 802.

## **3. Exhibit 2101**

Petitioner also objects to Exhibit 2101 as not being relevant to any issue on which trial has been instituted, lacking foundation, for containing hearsay, and/or causing undue prejudice. Exhibit 2101 is declaration from John Huppenthal that provides an irrelevant narrative discussion of his participation in reconfigurable computing. *See* Fed. R. Evid. 401-03. In addition, at least ¶¶ 27, 80-86 contain statements that are either based on hearsay or lack of personal knowledge. *See* Fed. R. Evid. 401-03, 801, 802. Petitioner also objects to any paragraphs in Exhibit 2101 to the extent they rely on the aforementioned objected to exhibits.

## **4. Exhibit 2170**

Petitioner objects to Exhibit 2170 as being cumulative of other exhibits in evidence. Specifically, Exhibit 2170 is a copy of Exhibit 1007, filed by Petitioner. This

is made clear by the presence of an exhibit stamp that reads "Petitioner Microsoft Corporation – Ex. 1007" on the second page of Exhibit 2170. *See* Fed. R. Evid. 401-03.

### **5. Exhibits 2112, 2166**

Petitioner also objects to any paragraphs in Exhibits 2112 and 2166 to the extent they rely on the aforementioned objected to exhibits.

### **6. Patent Owner's Response**

Petitioner also objects to any paragraphs in Patent Owner's Response to the extent they rely on the aforementioned objected to exhibits.

Dated: August 2, 2019

Respectfully Submitted,

/Joseph A. Micallef/  
Joseph A. Micallef  
Reg. No. 39,772  
SIDLEY AUSTIN LLP  
1501 K Street, N.W.  
Washington, DC 20005  
jmicallef@sidley.com  
*Attorney for Petitioner*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 2, 2019, a copy of the foregoing document has been served via email on the following:

Alfonso Chan, Shore Chan DePumpo LLP (achan@shorechan.com)  
Joseph DePumpo, Shore Chan DePumpo LLP (jdepumpo@shorechan.com)  
Christopher Evans, Shore Chan DePumpo LLP (cevans@shorechan.com)

Sean Hsu, Janik Vinnakota LLP (shsu@jvllp.com)  
G. Donald Puckett, Janik Vinnakota LLP (dpuckett@jvllp.com)  
Rajkumar Vinnakota, Janik Vinnakota LLP (kvinnakota@jvllp.com)

Dated: August 2, 2019

Respectfully Submitted,

/Joseph A. Micallef/  
Joseph A. Micallef  
Reg. No. 39,772  
SIDLEY AUSTIN LLP  
1501 K Street, N.W.  
Washington, DC 20005  
jmicallef@sidley.com  
*Attorney for Petitioner*