

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Canon Inc., Canon U.S.A., Inc., and Axis Communications AB,

Petitioners,

v.

Avigilon Fortress Corporation,

Patent Owner.

Case No. IPR2019-00314

U.S. Patent No. 7,932,923

PATENT OWNER'S OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64, Patent Owner Avigilon Fortress Corporation (“Patent Owner” or “Avigilon”) respectfully asserts the following objections to the evidence proffered with the Petition for *inter partes* review (the “Petition”) filed by Canon Inc., Canon U.S.A., Inc., and Axis Communications AB (“Petitioners”).

These objections are being timely served within 10 business days of the institution of trial, in accordance with 37 C.F.R. § 42.64(b)(1). The institution of trial in this matter occurred on July 8, 2019.

EVIDENCE	OBJECTIONS
Exhibit 1007	<p>FRE 403: Any probative value of this exhibit is substantially outweighed by a danger of confusing the issues.</p> <p>FRE 602/901: Personal Knowledge. Petitioners have not provided sufficient evidence supporting a finding that their librarian declarant has personal knowledge of the library shelving practices at MIT Libraries, University of Michigan Media Union, University of Virginia Library, North Carolina State University Library, University of California Los Angeles Science & Engineering Library, or the Library of Congress.</p>
Exhibit 1024	<p>FRE 401/402: Relevance. IPR was not instituted on any ground involving this exhibit and Petitioner has not identified any other relevance for this exhibit.</p> <p>FRE 403: Any probative value of this exhibit is substantially outweighed by a danger of confusing the issues.</p>
Exhibit 1025	<p>FRE 401/402: Relevance. IPR was not instituted on any ground involving this exhibit and Petitioner has not identified any other relevance for this exhibit.</p> <p>FRE 403: Any probative value of this exhibit is substantially outweighed by a danger of confusing the issues.</p>

Exhibit 1026	<p>FRE 401/402: Relevance. IPR was not instituted on any ground involving this exhibit and Petitioner has not identified any other relevance for this exhibit.</p> <p>FRE 403: Any probative value of this exhibit is substantially outweighed by a danger of confusing the issues.</p>
Exhibit 1027	<p>FRE 401/402: Relevance. IPR was not instituted on any ground involving this exhibit and Petitioner has not identified any other relevance for this exhibit.</p> <p>FRE 403: Any probative value of this exhibit is substantially outweighed by a danger of confusing the issues.</p>
Exhibit 1028	<p>FRE 401/402: Relevance. IPR was not instituted on any ground involving this exhibit and Petitioner has not identified any other relevance for this exhibit.</p> <p>FRE 403: Any probative value of this exhibit is substantially outweighed by a danger of confusing the issues.</p>
Exhibit 1029	<p>FRE 401/402: Relevance. IPR was not instituted on any ground involving this exhibit and Petitioner has not identified any other relevance for this exhibit.</p> <p>FRE 403: Any probative value of this exhibit is substantially outweighed by a danger of confusing the issues.</p>
Exhibit 1030	<p>FRE 401/402: Relevance. IPR was not instituted on any ground involving this exhibit and Petitioner has not identified any other relevance for this exhibit.</p> <p>FRE 403: Any probative value of this exhibit is substantially outweighed by a danger of confusing the issues.</p>
Exhibit 1031	<p>FRE 401/402: Relevance. IPR was not instituted on any ground involving this exhibit and Petitioner has not identified any other relevance for this exhibit.</p> <p>FRE 403: Any probative value of this exhibit is substantially outweighed by a danger of confusing the issues.</p>
Exhibit 1032	<p>FRE 401/402: Relevance. IPR was not instituted on any ground involving this exhibit and Petitioner has not identified any other relevance for this exhibit.</p>

	<p>FRE 403: Any probative value of this exhibit is substantially outweighed by a danger of confusing the issues.</p>
Exhibit 1037	<p>FRE 401/402: Relevance. IPR was not instituted on any ground involving this exhibit and Petitioner has not identified any other relevance for this exhibit.</p> <p>FRE 403: Any probative value of this exhibit is substantially outweighed by a danger of confusing the issues.</p> <p>FRE 801/802: Hearsay. Exhibit 1037 is hearsay because it is an out-of-court statement that does not fall within any exception and is being offered for the truth of the matter asserted. <i>See generally</i> Paper 1.</p>
Exhibit 1039	<p>FRE 403: Any probative value of this exhibit is substantially outweighed by a danger of confusing the issues.</p> <p>FRE 801/802: Hearsay. Exhibit 1039 is hearsay because it is an out-of-court statement that does not fall within any exception and is being offered for the truth of the matter asserted. <i>See</i> Paper 1 at 71. Specifically, Petitioners assert Exhibit 1039 as evidence that “Kevin McHale was inducted into the NBA Hall-Of-Fame.” <i>Id.</i></p>

Dated: July 22, 2019

Respectfully submitted,

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