

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT and  
BMW OF NORTH AMERICA, LLC,  
Petitioners,

v.

PAICE LLC and THE ABELL FOUNDATION, INC.,  
Patent Owners.

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Case IPR2020-01386  
Patent 7,237,634

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**PATENT OWNERS' OBJECTIONS TO EVIDENCE**

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owners, Paice LLC and the Abell Foundation, Inc. hereby submit the following objections to evidence in Petitioners' Reply of July 26, 2021.

<u>Evidence</u>	<u>Objections</u>
<b>Exhibit 1088</b>	<p><b>FRE 402/602/702/703:</b> The declarant provides opinions that are not based on sufficient facts or data, or ones that he has been made aware of or personally observed; has not applied reliable principles and methods; and has not reliably applied such principles and methods to the facts of the case. <i>See, e.g.</i>, ¶¶ 7-103.</p> <p><b>37 C.F.R. § 42.65(a):</b> the declarant fails to identify with particularity the underlying facts or data on which his opinions are based. <i>See, e.g.</i>, ¶¶ 7-103.</p> <p>Patent Owners further object to this exhibit to the extent it relies on or incorporates inadmissible exhibits.</p>
<b>Exhibit 1090</b>	<p><b>FRE 901.</b> Petitioners have not properly authenticated or identified this document, and have not established the publication date.</p> <p><b>FRE 402.</b> This exhibit is not relevant to any ground upon which this trial was instituted.</p>
<b>Exhibit 1091</b>	<p><b>FRE 901.</b> Petitioners have not properly authenticated or identified this document, and have not established the publication date.</p>
<b>Exhibit 1092</b>	<p><b>FRE 901.</b> Petitioners have not properly authenticated or identified this document, and have not established the</p>

	publication date.
<b>Exhibit 1098</b>	<b>FRE 402.</b> This exhibit is not relevant to any ground upon which this trial was instituted.
<b>Exhibit 1099</b>	<b>FRE 402.</b> This exhibit is not relevant to any ground upon which this trial was instituted.
<b>Exhibit 1100</b>	<b>FRE 402.</b> This exhibit is not relevant to any ground upon which this trial was instituted.
<b>Exhibit 1104</b>	<b>FRE 901.</b> Petitioners have not properly authenticated or identified this document, and have not established the publication date.
<b>Exhibit 1107</b>	<b>FRE 901.</b> Petitioners have not properly authenticated or identified this document, and have not established the publication date.
<b>Exhibit 1108</b>	<b>FRE 901.</b> Petitioners have not properly authenticated or identified this document, and have not established the publication date.

For at least these reasons, Petitioner objects to Exhibit(s) 1088 and 1090 – 1092, 1098-1100, 1104, 1107, and 1108. Petitioner reserves the right to move to exclude Exhibit(s) 1088 and 1090 – 1092, 1098-1100, 1104, 1107, and 1108.

Respectfully submitted,

Date: August 2, 2021

/Brian J. Livedalen/

Ruffin B. Cordell, Reg. No. 33,487  
Timothy W. Riffe, Reg. No. 43,881  
Brian J. Livedalen, Reg. No. 67,450

Customer Number 26171  
Fish & Richardson P.C.  
Telephone: (202) 783-5070  
Facsimile: (877) 769-7945

## CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4), the undersigned certifies that on August 2, 2021, a complete and entire copy of this Patent Owners' Objections to Evidence was provided via email to the Petitioner by serving the correspondence email addresses of record as follows:

Jeffrey D. Sanok  
Vincent J. Galluzzo  
Crowell & Moring LLP  
Intellectual Property Group  
1001 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2595

Scott L. Bittman  
Jacob Z. Zambrzycki  
Crowell & Moring LLP  
Intellectual Property Group  
590 Madison Avenue, 20th Floor  
New York, NY 10022-2544

Email: [jsanok@crowell.com](mailto:jsanok@crowell.com)  
Email: [vgalluzzo@crowell.com](mailto:vgalluzzo@crowell.com)  
Email: [sbittman@crowell.com](mailto:sbittman@crowell.com)  
Email: [jzambrzycki@crowell.com](mailto:jzambrzycki@crowell.com)

/Edward G. Faeth/  
Edward G. Faeth  
Fish & Richardson P.C.  
60 South Sixth Street, Suite 3200  
Minneapolis, MN 55402