

**UNITED STATES PATENT AND TRADEMARK OFFICE**

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

APPLIED MATERIALS, INC., INTEL CORPORATION, AND SAMSUNG  
ELECS. CO., LTD.,  
Petitioner,

v.

DEMARAY LLC  
Patent Owner.

---

Case IPR2021-00104<sup>1</sup>  
Patent No. 7,381,657

---

**PATENT OWNER'S OBJECTIONS TO EVIDENCE FILED WITH  
PETITIONER'S REPLY PURSUANT TO 37 C.F.R. § 42.64(b)(1)**

***Mail Stop "PATENT BOARD"***  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313

---

<sup>1</sup> Intel Corporation has filed a petition in IPR2021-01031 and has been joined as a petitioner in this proceeding. Samsung Electronics has filed a petition in IPR2021-01091 and has also been joined as a petitioner in this proceeding.

Pursuant to 37 C.F.R. § 42.64(b)(1) and the Federal Rules of Evidence (“FRE”), Patent Owner hereby submits the following objections to certain exhibits submitted by Petitioner with its Reply Brief in IPR 2021-00104.

**Exhibit 1090 (Pinnacle Plus+ 10kW (325-650 Vdc) DeviceNet, Single MDXL User, UHF Output User Manual, Pre-Release Version)**

Patent Owner objects to Ex. 1090 as not properly authenticated under FRE 901 and 902. Ex. 1090 contains no identification of an author, a recipient, or the genuineness of its contents, and is further unaccompanied by testimony attesting to its authenticity. Patent Owner further objects to Ex. 1090 as irrelevant under FRE 401 and unduly prejudicial under FRE 403, including because it is presented as new evidence for an issue that should have been discussed in the Petition. Patent Owner further objects to Ex. 1090 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exceptions.

**Exhibit 1100 (Martin Plonus, Electronics and Communications for Scientists and Engineers)**

Patent Owner objects to Ex. 1100 as not properly authenticated under FRE 901 and 902. Ex. 1100 contains no identification of the genuineness of its contents and is further unaccompanied by testimony attesting to its authenticity. Patent Owner further objects to Ex. 1100 as irrelevant under FRE 401 and unduly prejudicial under FRE 403, including because it is presented as new evidence for an issue that should have been discussed in the Petition.

Patent Owner further objects to Ex. 1100 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exceptions.

**Exhibit 1108 (Rebuttal Declaration of Dr. Vivek Subramanian)**

Patent Owner objects to paragraphs 6-9, 14, 30-32, 35-36, 39-47, 49-50, 55 of Exhibit 1108 under FRE 401 and unduly prejudicial under FRE 403, including because these paragraphs introduce new, untimely issues that should have been discussed in the petition or beyond the scope of issues raised in Patent Owner's response, and are thus irrelevant. While Patent Owner believes these paragraphs of Exhibit 1108 should be struck rather than excluded, Patent Owner presents these objections to the extent the Board would prefer this issue be presented in a motion to exclude. Patent Owner further objects to Exhibit 1108's reliance on previously objected-to exhibits.

**Exhibit 1114 (U.S. Patent No. 6,472,822)**

Patent Owner objects to Ex. 1114 as irrelevant under FRE 401 and unduly prejudicial under FRE 403, including because it is presented as new evidence for an issue that should have been discussed in the Petition.

**Exhibit 1115 (U.S. Patent No. 6,673,724)**

Patent Owner objects to Ex. 1115 as irrelevant under FRE 401 and unduly prejudicial under FRE 403, including because it is presented as new evidence for an issue that should have been discussed in the Petition.

Dated: December 13, 2021

Respectfully submitted,

Hong Zhong

H. Annita Zhong, Reg. No. 66,530

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on December 13, 2021, a copy of the foregoing document **PATENT OWNER'S OBJECTIONS TO EVIDENCE FILED WITH PETITIONER'S REPLY PURSUANT TO 37 C.F.R. § 42.64(b)(1)** was served, by electronic mail, as agreed to by the parties, upon the following:

**PAUL HASTINGS LLP**

Naveen Modi, Reg. No. 46,224

Joseph E. Palys, Reg. No. 46,508

Howard Herr (pro hac admission to be requested)

[PH-Applied\\_Materials-Demaray-IPR@paulhastings.com](mailto:PH-Applied_Materials-Demaray-IPR@paulhastings.com)

**WILMER CUTLER PICKERING HALE AND DORR LLP**

David L. Cavanaugh, Reg. No. 36,476

[David.Cavanaugh@wilmerhale.com](mailto:David.Cavanaugh@wilmerhale.com)

Richard Goldenberg, Reg. No. 38,895

[Richard.Goldenberg@wilmerhale.com](mailto:Richard.Goldenberg@wilmerhale.com)

Sonal N. Mehta (*Pro Hac Vice* to be requested)

[Sonal.Mehta@wilmerhale.com](mailto:Sonal.Mehta@wilmerhale.com)

Claire M. Specht (*Pro Hac Vice* to be requested)

[Claire.Specht@wilmerhale.com](mailto:Claire.Specht@wilmerhale.com)

[Whinteldemarayservicelist@wilmerhale.com](mailto:Whinteldemarayservicelist@wilmerhale.com)

**DESMARAIS LLP**

[cmaider@desmaraisllp.com](mailto:cmaider@desmaraisllp.com)

Christopher R. O'Brien, Reg. No. 63,208

[cobrien@desmaraisllp.com](mailto:cobrien@desmaraisllp.com)

Yung-Hoon Ha, Reg. 56,368

[yha@desmaraisllp.com](mailto:yha@desmaraisllp.com)

[SamsungDemarayIPRService@desmaraisllp.com](mailto:SamsungDemarayIPRService@desmaraisllp.com)

By: /Pia S. Kamath/  
Pia S. Kamath