

Paper No. ___
Filed: December 29, 2021

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TIANMA MICROELECTRONICS CO. LTD.,
Petitioner,

v.

JAPAN DISPLAY INC. and PANASONIC LIQUID CRYSTAL
DISPLAY CO., LTD.,
Patent Owner.

Case No. IPR2021-01028
U.S. Patent No. 9,793,299

PETITIONER'S OBJECTIONS TO PATENT OWNER'S EXHIBITS

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner hereby submits the following objections to certain exhibits submitted by Patent Owner. Petitioner's objections apply equally to Patent Owner's reliance on these exhibits in any subsequently filed documents. Petitioner objects to the following exhibits.

Exhibit 2009

Petitioner objects to Exhibit 2009 as lacking authentication under FRE 901 because sufficient evidence has not been provided to establish its authenticity, date, or public availability. Patent Owner has not submitted evidence to authenticate this exhibit or to otherwise establish that it is what Patent Owner claims it to be.

Petitioner also objects to Exhibit 2009 as irrelevant, prejudicial, confusing, and/or a waste of time under FRE 401, 402, and 403, as there is no admissible evidence establishing its public availability. Additionally, Patent Owner's Preliminary Response does not cite Ex. 2009 at all. At least the uncited portions are irrelevant, and even if some portions were deemed relevant, they are prejudicial, confusing, or a waste of time. FRE 401, 402, and 403.

Petitioner also objects to Exhibit 2009 under FRE 801, 802, and 805 as containing hearsay and/or hearsay within hearsay. To the extent Patent Owner relies on the content of this exhibit for the truth of the matter asserted, Petitioner objects to such content as inadmissible hearsay and/or hearsay within hearsay that does not fall under any exceptions.

Exhibit 2010

Petitioner objects to paragraph 41 of Ex. 2010 as relying on unauthenticated and hearsay evidence (e.g., Exhibit 2009). Patent Owner also objects to this paragraph as irrelevant and more prejudicial than probative as being based on inadmissible evidence under FRE 401, 402, 403. And until Patent Owner provides the declarant for cross-examination, Exhibit 2010 is inadmissible hearsay. FRE 802.

Respectfully submitted,

Dated: December 29, 2021

By: /Joshua L. Goldberg/
Joshua L. Goldberg, Reg. No. 59,369

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Petitioner's Objections to Patent Owner's Exhibits** was served on December 29, 2021, via email directed to counsel of record for Patent Owner at Tianma-JDIVETeam@velaw.com and the following:

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Dated: December 29, 2021

By: Valencia Daniel/
Valencia Daniel
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FINNEGAN, HENDERSON, FARABOW,
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