Filed on behalf of: Momentum Dynamics Corporation

Entered: September 23, 2022

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD
MOMENTUM DYNAMICS CORPORATION, Petitioner,
v.
WITRICITY CORPORATION, Patent Owner.
Case IPR2021-01166 Patent 8,304,935

PETITIONER'S OPPOSITION TO PATENT OWNER'S MOTION TO EXCLUDE

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TABLE OF AUTHORITIES

Page	(s)
CASES	
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Caterpillar Inc. v. Wirtgen Am., Inc., IPR2018-01091, Paper 49 (Nov. 27, 2019)2	, 9
Hamilton Techs. LLC. V. Fleur Tehrani, IPR2020-01199, Paper 57 (Dec. 28, 2021)	3
<i>United States v. Ceballos</i> , 789 F.3d 607 (5th Cir. 2015)	2
United States v. Franz, 772 F.3d 134 (3d Cir. 2014)	7
United States v. Isiwele, 635 F.3d 196 (5th Cir. 2011)	2
<i>United States v. Patterson</i> , 277 F.3d 709 (4th Cir. 2002)	1
United States v. Turner, 934 F.3d 794 (8th Cir. 2019)	2
RULES	
Fed. R. Evid. 901	, 9 , 9
902(7)	1
REGULATIONS	
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EXHIBIT LIST

Ex.	<u>Description</u>
1001	U.S. Patent No. 8,304,935 ("'935 patent")
1002	File History for '935 patent ("'935 patent FH")
1003	Declaration of Mark Allen ("Allen Decl.")
1004	Curriculum Vitae of Mark Allen
1005	Declaration of Sylvia Hall-Ellis
1006	Curriculum Vitae of Sylvia Hall-Ellis
1007	Kathleen O'Brien, <i>Inductively Coupled Radio Frequency Power Transmission System for Wireless Systems and Devices</i> (2007) (Ph.D. dissertation, Technical University of Dresden) ("O'Brien"), including certified translation of the German portions of pages 1-3
1008	U.S. Patent No. 2004/0001299, van Haaster, et al., "EMI Shield Including a Lossy Medium" ("Haaster")
1009	International Publication No. WO 2005/024865, P. Beart, et al., "Inductive Power Transfer Units Having Flux Shields" ("Beart")
1010	U.S. Patent No. 6,501,364, Hui, et al., "Planar Printed-Circuit-Board Transformers with Effective Electromagnetic Interference (EMI) Shielding" ("Hui-364")
1011	U.S. Patent Application Publication No. 2005/0189910, S.R. Hui, "Planar Inductive Battery Charger" ("Hui-910")
1012	U.S. Patent No. 7,358,447, J.F. Gabower, "Electromagnetic Interference Shields for Electronic Devices" ("Gabower")



Ex.	<u>Description</u>
1013	Frederick Emmons Terman, et al., <i>Electronic and Radio Engineering</i> (4th ed. 1947) ("Terman") (excerpted)
1014	Kathleen O'Brien, et al., Magnetic Field Generation in an Inductively Coupled Radio-Frequency Power Transmission System, IEEE 2006 37th Annual Power Electronics Specialists Conference (July 2006)
1015	G. Scheible, et al., Novel Wireless Power Supply System for Wireless Communication Devices in Industrial Automation Systems, IEEE 2002 28th Annual Conference of the Industrial Electronics Society (Nov. 2002) ("Scheible")
1016	Estill I. Green, <i>The Story of Q</i> , 43 Am. Scientist 584 (Oct. 1955) (" <i>Story of Q</i> ")
1017	David H. Staelin, et al., <i>Electromagnetic Waves</i> 46 (1998) ("Staelin") (excerpted)
1018	Herbert L. Krauss, et al., <i>Solid State Radio Engineering</i> (1980) ("Krauss") (excerpted)
1019	U.S. Patent No. 8,169,185, A. Partovi & M. Sears, "System and Method for Inductive Charging of Portable Devices" ("Partovi")
1020	U.S. Patent No. 7,561,114, M. Maezawa, et al., "Electromagnetic Interference Suppressor, Antenna Device and Electronic Information Transmitting Apparatus" ("Maezawa")
1021	Kathleen O'Brien, et al., <i>Design of Large Air-Gap Transformers for Wireless Power Supplies</i> , IEEE 2003 34th Annual Conference on Power Electronics Specialists (June 2003)
1022	Kathleen O'Brien, et al., Analysis of Wireless Power Supplies for Industrial Automation Systems, 29th Annual Conference of the IEEE Industrial Electronics Society (2003)



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