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Filed on behalf of Apple Inc.

By: Larissa S. Bifano, Reg. No. 59,051
Joseph W. Wolfe, Reg. No. 73,173
Zachary Conrad, Reg. No. 77,682

DLA Piper LLP (US)
33 Arch Street, 26th Floor
Boston, Massachusetts 02110-1447
Email: Larissa.Bifano@dlapiper.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

BILLJCO LLC,
Patent Owner

IPR2022-00310

PETITIONER'S OBJECTIONS TO EVIDENCE

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

Pursuant to 37 C.F.R. §42.64(b), Petitioners submit the following objection to the admissibility of evidence served with the Patent Owner Response and the Declaration of Istvan Jonyer, which is Exhibit 2008 of the Patent Owner Response. Petitioner reserves their rights to: (1) timely file a motion to exclude Patent Owner's evidence, including evidence in the form of testimony or exhibits, or portions thereof; and (2) challenge the credibility and/or weight that should be afforded Patent Owner's evidence, whether or not Petitioner files a motion to exclude the evidence.

Exhibit No.	Objections
2011	<p>Petitioner objects to Exhibit 2011 pursuant to FRE 403 as being prejudicial. Exhibit 2011 includes several pages of definitions taken from various internet sources, such as TheFreeDictionary, Wikipedia, Techopedia, Cambridge Dictionary, Google, YourDictionary, and ComputerHope. The definitions provided in Exhibit 2011 are only considered in a vacuum and fail to take into account the context of the claim and specification. If admitted, their minimal probative value would be substantially outweighed by the unfair prejudice they would cause, the confusing and misleading nature of the materials, the undue delay upon these proceedings, and the waste of time that would ensue.</p> <p>Petitioner objects to Exhibit 2011 pursuant to FRE 602 as lacking foundation.</p> <p>Petitioner objects to Exhibit 2011 pursuant to FRE 901 as lacking authentication. Patent Owner has failed to provide evidence sufficient to support a finding that the select definitions and webpages including the select definitions are what the Patent Owner claims they are.</p>
2012	<p>Petitioner objects to Exhibit 2012 pursuant to FRE 401 as lacking relevance. Patent Owner's infringement contentions and exhibits to the infringement contentions are irrelevant to the</p>

	<p>current proceeding. The PTAB does not determine issues of infringement.</p> <p>Petitioner objects to Exhibit 2012 pursuant to FRE 403 as being prejudicial. If admitted, their minimal probative value would be substantially outweighed by the unfair prejudice they would cause, the confusing and misleading nature of the materials, the undue delay upon these proceedings, and the waste of time that would ensue.</p> <p>Petitioner objects to Exhibit 2012 pursuant to FRE 802 as being hearsay.</p> <p>Petitioner objects to Exhibit 2012 pursuant to FRE 901 as lacking authentication. Patent Owner has failed to provide evidence sufficient to support a finding that the select exhibits in the amended complaint are what the Patent Owner claims they are.</p>
2013	<p>Petitioner objects to Exhibit 2013 pursuant to FRE 401 as lacking relevance. The license agreement is irrelevant to the current proceeding.</p> <p>Petitioner objects to Exhibit 2013 pursuant to FRE 403 as being prejudicial. If admitted, their minimal probative value would be substantially outweighed by the unfair prejudice they would cause, the confusing and misleading nature of the materials, the undue delay upon these proceedings, and the waste of time that would ensue.</p> <p>Petitioner objects to Exhibit 2013 pursuant to FRE 901 as lacking authentication. Patent Owner has failed to provide evidence sufficient to support a finding that the license agreement is what the Patent Owner claims it is.</p>
2014	<p>Petitioner objects to Exhibit 2014 pursuant to FRE 401 as lacking relevance. The license agreement is irrelevant to the current proceeding.</p> <p>Petitioner objects to Exhibit 2014 pursuant to FRE 403 as being prejudicial. If admitted, their minimal probative value would be substantially outweighed by the unfair prejudice they would</p>

	<p>cause, the confusing and misleading nature of the materials, the undue delay upon these proceedings, and the waste of time that would ensue.</p> <p>Petitioner objects to Exhibit 2014 pursuant to FRE 901 as lacking authentication. Patent Owner has failed to provide evidence sufficient to support a finding that the license agreement is what the Patent Owner claims it is.</p>
2015	<p>Petitioner objects to Exhibit 2015 pursuant to FRE 401 as lacking relevance. The settlement and license agreement is irrelevant to the current proceeding.</p> <p>Petitioner objects to Exhibit 2015 pursuant to FRE 403 as being prejudicial. If admitted, their minimal probative value would be substantially outweighed by the unfair prejudice they would cause, the con-fusing and misleading nature of the materials, the undue delay upon these proceedings, and the waste of time that would ensue.</p> <p>Petitioner objects to Exhibit 2015 pursuant to FRE 901 as lacking authentication. Patent Owner has failed to provide evidence sufficient to support a finding that the license agreement is what the Patent Owner claims it is.</p>

Dated: September 29, 2022

Respectfully Submitted,

/Larissa S. Bifano/

Larissa S. Bifano

Registration Number 59,051

Attorney for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certified that a copy of the foregoing **Petitioner's Objections to Evidence** was served electronically via email on September 29, 2022 to the following:

brian.michalek@saul.com
joseph.kuo@saul.com
brian.landry@saul.com
IPGroupMailbox@saul.com
courtland.merrill@saul.com

Dated: September 29, 2022

Respectfully Submitted,

By: /Larissa S. Bifano/
Larissa S. Bifano
Registration Number 59,051