

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.

Petitioner,

- vs. -

BillJCo, LLC,

Patent Owner.

IPR2022-00426
U.S. Patent No. 8,761,804

PETITIONER'S OBJECTIONS TO EVIDENCE

Petitioner's Objections to Evidence

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 Jacob Sharony, which is Exhibit 2025 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
2024	Petitioner objects to Exhibit 2024 pursuant to FRE 401 as lacking relevance.
2028	<p>Petitioner objects to Exhibit 2028 pursuant to FRE 401 as lacking relevance. The Amended Complaint and Select Exhibits are irrelevant to the current proceeding. The PTAB does not determine issues of infringement.</p> <p>Petitioner objects to Exhibit 2028 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 2028 pursuant to FRE 802 as being hearsay.</p> <p>Petitioner objects to Exhibit 2028 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>

2029	<p>Petitioner objects to Exhibit 2029 pursuant to FRE 401 as lacking relevance. The license agreement is irrelevant to the current proceeding.</p> <p>Petitioner objects to Exhibit 2029 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 2029 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>
2030	<p>Petitioner objects to Exhibit 2030 pursuant to FRE 401 as lacking relevance. The settlement and license agreement is irrelevant to the current proceeding.</p> <p>Petitioner objects to Exhibit 2030 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 2030 pursuant to FRE 901 as lacking authentication. Patent Owner has failed to provide evidence sufficient to support a finding that the settlement and license agreement is what the Patent Owner claims it is.</p>
2031	<p>Petitioner objects to Exhibit 2031 pursuant to FRE 401 as lacking relevance. The settlement and license agreement is irrelevant to the current proceeding.</p> <p>Petitioner objects to Exhibit 2031 pursuant to FRE 403 as being prejudicial. If admitted, their minimal probative value would be substantially outweighed by the unfair prejudice they would cause,</p>

Petitioner's Objections to Evidence

	<p>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 2031 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>
2032	<p>Petitioner objects to Exhibit 2032 pursuant to FRE 401 as lacking relevance. The video regarding Apple's Core Location feature is irrelevant to the current proceeding.</p> <p>Petitioner objects to Exhibit 2032 pursuant to FRE 403 as being prejudicial. If admitted, its minimal probative value would be substantially outweighed by the unfair prejudice it 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 2032 pursuant to FRE 802 as being hearsay.</p> <p>Petitioner objects to Exhibit 2032 pursuant to FRE 901 as lacking authentication. Patent Owner has failed to provide evidence sufficient to support a finding that the video is what the Patent Owner claims it is.</p>
2033	<p>Petitioner objects to Exhibit 2033 pursuant to FRE 401 as lacking relevance. The Transcript Excerpt corresponding to the video of Exhibit 2032 is irrelevant to the current proceeding.</p> <p>Petitioner objects to Exhibit 2033 pursuant to FRE 403 as being prejudicial. If admitted, its minimal probative value would be substantially outweighed by the unfair prejudice it 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 2033 pursuant to FRE 802 as being hearsay.</p>

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	<p>Petitioner objects to Exhibit 2033 pursuant to FRE 901 as lacking authentication. Patent Owner has failed to provide evidence sufficient to support a finding that the Transcript Excerpt is what the Patent Owner claims it is.</p>
2034	<p>Petitioner objects to Exhibit 2034 pursuant to FRE 401 as lacking relevance. The screenshot of a portion of the video from Exhibit 2032 is irrelevant to the current proceeding.</p> <p>Petitioner objects to Exhibit 2034 pursuant to FRE 403 as being prejudicial. If admitted, its minimal probative value would be substantially outweighed by the unfair prejudice it 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 2034 pursuant to FRE 802 as being hearsay.</p> <p>Petitioner objects to Exhibit 2034 pursuant to FRE 901 as lacking authentication. Patent Owner has failed to provide evidence sufficient to support a finding that screenshot of the video is what the Patent Owner claims it is.</p>
2035	<p>Petitioner objects to Exhibit 2035 pursuant to FRE 401. Information regarding Apple's iBeacon is irrelevant to the current proceeding.</p> <p>Petitioner objects to Exhibit 2035 pursuant to FRE 901 as lacking authentication. Patent Owner has failed to provide evidence sufficient to support a finding that the overview is what the Patent Owner claims it is.</p>

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