

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ASSA ABLOY AB, ASSA ABLOY Inc.,
ASSA ABLOY Residential Group, Inc., August Home, Inc., HID Global
Corporation, and ASSA ABLOY Global Solutions, Inc.,
Petitioners,

v.

CPC Patent Technologies PTY LTD.,
Patent Owner.

Case No. IPR2022-01006 (Patent No. 9,665,705)

Case No. IPR2022-01045 (Patent No. 9,269,208)

Case No. IPR2022-01089 (Patent No. 9,269,208)

Case No. IPR2022-01093 (Patent No. 8,620,039)

Case No. IPR2022-01094 (Patent No. 8,620,039)

PETITIONERS' RESPONSE TO PATENT OWNER'S

INTERROGATORIES (NOS. 1-5)

Pursuant to 37 CFR § 42.51 and Rules 26 and 33 of the Federal Rules of Civil Procedure, Petitioners ASSA ABLOY AB, ASSA ABLOY Inc., ASSA ABLOY Residential Group, Inc., August Home, Inc., HID Global Corporation, and ASSA ABLOY Global Solutions, Inc. (“Petitioners”) hereby object and provide the following responses to Patent Owner CPC Patent Technologies PTY LTD.’s (“Patent Owner”) Interrogatories to Petitioners (Nos. 1-5) as follows:

Petitioners respond to Patent Owner’s Interrogatories as they interpret and understand each Interrogatory set forth therein. If Patent Owner subsequently asserts an interpretation of any Interrogatory that differs from Petitioners’ understanding of that Interrogatory, Petitioners reserve the right to supplement, revise, amend, or modify its objections and/or responses.

These answers are made solely for the purpose of IPR2022-01006, IPR2022-01045, IPR2022-01089, IPR2022-01093, and IPR2022-01094 (“Petitioners’ IPRs”). No incidental or implied admissions are intended by the answers herein. Petitioners’ responses to these Interrogatories do not constitute admissions relative to the existence of any documents or information, to the relevance or admissibility of any documents or information, or to the truth or accuracy of any statement or characterization contained in Patent Owner’s requests. The fact that Petitioners have answered part or all of any Interrogatory is not intended to be, and shall not be construed to be, a waiver by Petitioners of any part of any objection to any

Interrogatory. All objections as to relevance, authenticity, or admissibility of any document are expressly reserved.

GENERAL OBJECTIONS

1. Petitioners object to each Interrogatory to the extent that it is inconsistent with, or imposes obligations beyond those required by, the Federal Rules of Civil Procedure, 35 U.S.C. § 316(a)(5), 37 C.F.R. § 42.51, or the agreed-upon scope of each Interrogatory as between Petitioners and Patent Owner.

2. Petitioners object to these Interrogatories as overly broad, unduly burdensome, and not proportional to the needs of the case to the extent that they are not within the scope of permissible discovery as set forth in the Federal Rules of Civil Procedure, 35 U.S.C. § 316(a)(5), or 37 C.F.R. § 42.51.

3. Petitioners object to these Interrogatories to the extent that the information requested is not currently within the possession, custody, or control of Petitioners.

4. Petitioners object to these Interrogatories to the extent that they call for disclosure of information that is not ascertainable by means of a reasonably diligent search, including without limitation information that is not maintained by Petitioners in the normal course of business or that is no longer maintained by Petitioners.

5. Petitioners object to these Interrogatories to the extent that they seek to compel Petitioners to generate or create information and/or documents that do not already exist.

6. Petitioners object to these Interrogatories to the extent that they are harassing or would lead to unnecessary delay or needless increase in the cost of these proceedings.

7. Petitioners object to each Interrogatory to the extent that it seeks information protected from discovery by the attorney-client privilege, the work-product doctrine, the common-interest privilege, and/or any other applicable privilege, immunity, or protection. Nothing contained in Petitioners' responses is intended to be, or in any way shall be deemed, a waiver of any such applicable privilege or doctrine.

8. Petitioners object to these Interrogatories on the grounds that they are vague, ambiguous, unduly burdensome, and not proportional to the needs of the case to the extent that they require Petitioners to construe, interpret, or define unclear terms in these Interrogatories.

9. Petitioners' agreement to produce any category of information or documents is not a representation that any such documents or information in that category actually exist in Petitioners' possession, custody, or control, or can be

located through a reasonable search, or that such documents or information are relevant or proportional to the needs of Petitioners' IPRs.

10. Petitioners object to any effort by Patent Owner to seek production of emails in connection with any of its discovery requests. *See* PTAB Consolidated Trial Practice Guide, Appendix C, Section 6.

11. Petitioners object to these Interrogatories to the extent that they purport to require Petitioners to anticipate Patent Owner's future claims or defenses and/or other developments in Petitioners' IPR petitions. Petitioners provide these responses to Patent Owner's Interrogatories based solely on the information presently known to Petitioners. Petitioners' responses herein are given without prejudice to Petitioners' right to amend or supplement in accordance with Fed. R. Civ. P. 26(e).

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

1. Petitioners object to Patent Owner's Instructions to the extent they purport to create requirements or obligations beyond the requirements set forth in the Federal Rules of Civil Procedure, 35 U.S.C. § 316(a)(5), or 37 C.F.R. § 42.51.

2. Petitioners object to the Instructions to the extent that they seek information protected from disclosure by the attorney-client privilege, work-product doctrine, common-interest privilege, and/or any other applicable privilege or exemption.

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