

**UNITED STATES PATENT AND TRADEMARK OFFICE**

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

**APPLE INC.**

**Petitioner**

**v.**

**IMMERVISION, INC.**

**Patent Owner**

---

**Case IPR2023-00471**

**Patent No. 6,844,990**

---

**PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE**

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner submits the following objections to certain evidence submitted with the Petition. These objections are timely filed within ten business days of the Board's July 11, 2023 decision to institute trial in this proceeding.

Patent Owner reserves the right to present further objections to these or additional evidence submitted by Petitioner, as allowed by the applicable rules or other authority.

### **Exhibit 1007**

Patent Owner objects to Exhibit 1007 under at least Federal Rule of Evidence ("FRE") 901, due to insufficient evidence to support a finding that Exhibit 1007 is what Petitioner claims it is. In particular, Exhibit 1007 appears to have been excerpted from a larger compilation (based on surrounding text, apparent page numbering of 1060 and 1061, and a "Vol. 54" designation) which is not identified at all in Exhibit 1007 itself nor in the Petition or the accompanying declaration of its expert, David Kessler (Ex. 1003). Petitioner has not provided any evidence or testimony to properly authenticate Exhibit 1007.

### **Exhibit 1013**

Patent Owner objects to Exhibit 1013 under at least FRE 901, due to insufficient evidence to support a finding that Exhibit 1007 is what Petitioner claims it is. The Petition alleges that Exhibit 1013 comes from "1992 IBC

International Broadcasting Convention,” (Petition at iii). However, Exhibit 1013 contains no text or other identifying information to verify such a source. Exhibit 1013 contains no date information, aside from a June 2, 2022 download date. Petitioner has not provided any evidence or testimony to properly authenticate Exhibit 1013.

**Exhibit 1003**

Patent Owner objects to Exhibit 1003 as inadmissible at least to the extent it relies on Exhibits 1007 and 1013, to which Patent Owner objects above.

Date: July 25, 2023

Respectfully submitted,

By:           /Stephen E. Murray/          

Stephen E. Murray, Reg. No. 63,206  
Keith A. Jones, Reg. No. 67,781  
**PANITCH SCHWARZE BELISARIO & NADEL LLP**  
Two Commerce Square  
2001 Market Street, Suite 2800  
Philadelphia, Pennsylvania 19103  
(215) 965-1330  
(215) 965-1331 (Fax)  
[smurray@panitchlaw.com](mailto:smurray@panitchlaw.com) (E-Mail)  
[kjones@panitchlaw.com](mailto:kjones@panitchlaw.com) (E-Mail)

John D. Simmons, Reg. No. 52,225  
Dennis J. Butler, Reg. No. 51,519  
**PANITCH SCHWARZE BELISARIO & NADEL LLP**  
Wells Fargo Tower  
2200 Concord Pike, Suite 201  
Wilmington, DE 19803  
(302) 394-6030  
(302) 394-6031 (Fax)  
[jsimmons@panitchlaw.com](mailto:jsimmons@panitchlaw.com) (E-mail)  
[dbutler@panitchlaw.com](mailto:dbutler@panitchlaw.com) (E-mail)

**CERTIFICATE OF SERVICE UNDER 37 CFR § 42.6(e)**

I hereby certify that a true copy of the foregoing PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE has been served in its entirety this 25<sup>th</sup> day of July 2023, by electronic mail on Petitioner's lead and back-up counsel, as follows:

W. Karl Renner  
Karan Jhurani  
David Holt  
Fish & Richardson P.C.  
60 South Sixth Street, Suite 3200  
Minneapolis, MN 55402  
[IPR50095-0114IP1@fr.com](mailto:IPR50095-0114IP1@fr.com)

/Stephen E. Murray/  
Stephen E. Murray  
Registration No. 63,206  
Attorney for ImmerVision, Inc.