

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

XILINX, INC., ADVANCED MICRO DEVICES, INC.,
and ATI TECHNOLOGIES ULC,
Petitioner,

v.

SENTIENT SENSORS, LLC,
Patent Owner.

Case IPR2023-00195
Patent 6,938,177

**PATENT OWNER'S REPLY TO PETITIONER'S MAY 9,
2024 OBJECTIONS TO EVIDENCE**

Pursuant 37 C.F.R. § 42.64(b)(2), Patent Owner responds to Petitioner's
Objections to Evidence, served May 9, 2024, as follows:

Exhibit	Response
EX2025 Joint Claim Construction Brief (D.I. No. 63) filed in <i>Sentient Sensors, LLC v. Cypress Semiconductor Corp.</i>, Civil Action No. 1:19-cv-01868-MN (D. Del.)	<u>Objections:</u> Violation of 37 CFR 42.23(b) (“A surreply ... may not be accompanied by new evidence other than deposition transcripts of the cross-examination of any reply witness.”) <i>See also</i> PTAB Trial Practice Guide at 73-74 (same); FRE 401-403 (relevance). <u>Response:</u> On May 9, 2024, Petitioner submitted an unopposed request to the Board to file a 2-page paper limited to responding to Patent Owner's argument at Sur-Reply, Section II(A)(2), which is the section of the Sur-Reply where EX 2025 and EX 2026 are cited. Petitioner believes this section raises a new argument with new evidence; the Patent Owner disagrees with Petitioner for reasons including those set forth in its Sur-Reply but is willing to allow the Petitioner a chance to respond, which, if permitted, would obviate Petitioner's objections. Regardless, the Claim construction order in <i>Sentient Sensors, LLC v. Cypress Semiconductor Corp.</i>, D.I. No. 63, filed in Civil Action No. 1:19-cv-01868-MN (D. Del.), is already part of the record because Xilinx included it as Exhibit 1012. Exhibit 1012 references Exhibit 2025 at

	p.2. Under FRE 201, the Board may take judicial notice of Exhibit 2025.
EX2026 Second Amended Joint Claim Construction Chart (D.I. 77-1) filed in <i>Sentient Sensors, LLC v. Cypress Semiconductor Corp.</i>, Civil Action No. 1:19-cv-01868-MN (D. Del.).	<u>Objections:</u> Violation of 37 CFR 42.23(b) (“A surreply ... may not be accompanied by new evidence other than deposition transcripts of the cross-examination of any reply witness.”) <i>See also</i> PTAB Trial Practice Guide at 73-74 (same); FRE 401-403 (relevance). <u>Response:</u> On May 9, 2024, Petitioner submitted an unopposed request to the Board to file a 2-page paper limited to responding to Patent Owner's argument at Sur-Reply, Section II(A)(2), which is the section of the Sur-Reply where EX 2025 and EX 2026 are cited. Petitioner believes this section raises a new argument with new evidence; the Patent Owner disagrees with Petitioner for reasons including those set forth in its Sur-Reply but is willing to allow the Petitioner a chance to respond, which, if permitted, would obviate Petitioner's

	objections. Moreover, the Claim construction order in <i>Sentient Sensors, LLC v. Cypress Semiconductor Corp.</i>, D.I. No. 63, filed in Civil Action No. 1:19-cv-01868-MN (D. Del.), is already part of the record Xilinx Exhibit 1012. Exhibit 1012 references Exhibit 2026 at p.1 n.1. Under FRE 201, the Board may take judicial notice of Exhibit 2026.
--	---

Dated: May 14, 2024

Respectfully submitted,

CAHILL GORDON & REINDELL LLP

/s/ Gerald J. Flattmann, Jr.

Gerald J. Flattmann, Jr.
(Reg. No. 37,324)
32 Old Slip
New York, NY 10005
(212)-701-
gflattmann@cahill.com

*Attorney for Patent Owner, Sentient
Sensors LLC*

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to 37 C.F.R. § 42.6(e) and with the agreement of counsel for Petitioner, a true and correct copy of **PATENT OWNER'S REPLY TO PETITIONER'S MAY 9, 2024 OBJECTIONS TO EVIDENCE** are being served electronically on May 14, 2024, to the e-mail addresses shown below:

David M. Hoffman, Reg. No. 54,174
hoffman@fr.com
Jeffrey A. Shneidman (Pro Hac Vice)
shneidman@fr.com
Craig A. Deutsch, Reg. No. 69,264
Deutsch@fr.com Dated: May 2, 2024

Dated: May 14, 2024

Respectfully submitted,

CAHILL GORDON & REINDELL LLP

/s/ Gerald J. Flattmann, Jr.

Gerald J. Flattmann, Jr.
(Reg. No. 37,324)
32 Old Slip
New York, NY 10005
(212)-701-
gflattmann@cahill.com

*Attorney for Patent Owner, Sentient
Sensors LLC*