IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner

v.

WILDSEED MOBILE LLC,
Patent Owner

Case IPR2023-00244
U.S. Patent No. 10,251,021

PATENT OWNER WILDSEED MOBILE LLC'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)(1), Patent Owner Wildseed Mobile LLC hereby objects in accordance with the Federal Rules of Evidence ("FRE") to the admissibility of Exhibits 1003, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, and 1021, which Petitioner Google LLC filed with its Petition on November 30, 2022.

Patent Owner timely objects under 37 C.F.R. § 42.64(b)(1) within ten business days of institution of trial in this proceeding. Patent Owner files and serves Petitioner with these objections to provide notice that Patent Owner may move to exclude Exhibits 1003, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, and 1021, or portions thereof, under 37 C.F.R. § 42.64(c).

Objections to Exhibit 1003

FRE 401, 402, and 403: Patent Owner objects to Exhibit 1003 for including information that is irrelevant or whose probative value to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. This includes, for example, paragraphs 1-18, 22-27, 37-39, 158-161, 167, 172-174, 180-185, 197, 198, 207, 220-223, and 255-265, which are not relied upon in the Petition. *See generally*, Paper 2, Pet.

FRE 702 and 703 (and 37 C.F.R. § 42.65): Patent Owner objects to Exhibit 1003, for example, at least paragraphs 7-21 and 28-264 because there has not been

an adequate showing that Dr. Houh's testimony is based on sufficient facts or data, is the product of reliable principles or methods, or that the testimony will help the Board understand the evidence or determine a fact in issue. Further, it has not been shown that Dr. Houh is qualified to testify competently regarding the matters the opinions are said to address.

Objections to Exhibit 1019

FRE 801 and 802: Patent Owner objects to Exhibit 1019 because it constitutes and contains inadmissible hearsay that does not fall under any exception.

FRE 901 and 902: Patent Owner objects to Exhibit 1019 because it has not been shown to be authenticated or identified, and there is no evidence that the document is self-authenticating.

Objections to Exhibits 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1020, and 1021

FRE 401, 402, and 403: Patent Owner objects to Exhibits 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1020, and 1021 for including information that is irrelevant or whose probative value to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. For example, Exhibits 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1020, are 1021 are

only relied upon in the Petition to support the arguments against discretionary denial under *Fintiv*, which is no longer an issue in the case. *See generally*, Paper 2, Pet.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C

/Jason A. Fitzsimmons/

Jason A. Fitzsimmons
Registration No. 65,367
Counsel for Patent Owner

Date: June 15, 2023

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

I certify that the above-captioned **PATENT OWNER WILDSEED MOBILE LLC'S OBJECTIONS TO EVIDENCE** was served in its entirety on June 15, 2023, upon the following parties via electronic mail:

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HAYNES AND BOONE LLP

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C

/Jason A. Fitzsimmons/

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