

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GEOTAB USA, INC. AND GEOTAB, INC.,
Petitioners,

v.

OMEGA PATENTS, LLC,
Patent Owner.

Case No. IPR2023-00504
Patent No. 8,032,278

OBJECTIONS TO PATENT OWNER'S DEMONSTRATIVE EXHIBITS

Pursuant to the Board’s Trial Hearing Order (Paper 35), the parties met and conferred regarding Petitioners’ Objections to Patent Owner’s Demonstrative Exhibits (EX2027, individual pages identified below as “slides”) but were unable to resolve the following objections:

Slide 38: Petitioners object to slide 38 as including inadmissible hearsay testimony from EX2006, and a second level of hearsay in the form of a statement paraphrasing the hearsay in EX2006, both outlined in red below, which is the subject of a pending motion to exclude (Paper 37).

Ground 2: Petitioner Cannot Overcome Secondary Considerations

- Industry insiders referenced the belief there was a market need for devices with the '278 Patent technology

Q. Was there a particular market need that you identified leading up to the creation of the CRS for the LMU-3000?

A. The 3000 was driven by a general market need that we heard from a number of customers. The primary interest was coming from a need for a simple installation type of solution and the opportunity to enhance the capability of the product that we could offer with certain data items coming off of the vehicle bus.

PO Sur-Reply, p. 12-17; EX2014, 40; EX2006, 40:20-41:4

DEMONSTRATIVE EXHIBIT - NOT EVIDENCE

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Slide 39: Petitioners object to slide 39 as including inadmissible hearsay testimony from EX2005, outlined in red below, which is the subject of a pending motion to exclude (Paper 37).

Ground 2: Petitioner Cannot Overcome Secondary Considerations

- No design around options were available to achieve the advantages of the '278 Patented technology

Q. But you -- ultimately Calamp didn't implement whatever alternative designs you came up with in an effort to avoid the patents you reviewed?

A. To tell you the truth, I don't think we came up with any alternative designs.

Please look at 8032278. It is probably too new to have been part of our previous review. 1, 13, and 18 are the main claims. 13 may relate to how we program a unit at the factory so it may be harder to avoid. There is also the question of whether the patent should be able to claim the earlier priority dates as a continuation.

POR, p. 51-52; PO Sur-Reply, p. 13; EX2014, 42-44; EX2005, 45-15-19; EX2015

DEMONSTRATIVE EXHIBIT - NOT EVIDENCE

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Respectfully submitted,
Geotab USA, Inc. and Geotab, Inc.

Date: April 17, 2024

/Adam R. Wichman/

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CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6 (E)(4)

I certify that on April 17, 2024, I will cause a copy of the foregoing document, including any exhibits filed therewith, to be served via electronic mail, as previously consented to by Patent Owner, upon the following:

Ryan T. Santurri
Christopher F. Regan
David S. Carus

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Date: April 17, 2024

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