

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MIANYANG BOE OPTOELECTRONICS TECHNOLOGY CO., LTD.;
WUHAN CHINA STAR OPTOELECTRONICS SEMICONDUCTOR DISPLAY
TECHNOLOGY CO., LTD.; TIANMA MICROELECTRONICS CO., LTD.;
AND VISIONIX TECHNOLOGY, INC.,
Petitioner,

v.

SAMSUNG DISPLAY CO., LTD.
Patent Owner.

Case IPR2023-00941
U.S. Patent No. 7,414,599

PATENT OWNER'S OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner Samsung Display Co., Ltd. (“Patent Owner”) submits the following objections to evidence associated with the Petition in this proceeding.

1. Exhibit 1003, Expert Declaration of Dr. Daniel Foty: Patent Owner objects to this testimony under Federal Rule of Evidence 702 in that the witness, whose curriculum vitae identifies no experience in active matrix display design, does not qualify as a person of ordinary skill in the art with respect to U.S. Patent No. 7,414,599, and accordingly lacks qualification to opine on matters requiring the perspective of a person of ordinary skill, including the alleged obviousness of the challenged claims. *See, e.g., Kyocera Senco Indus. Tools Inc. v. Int’l Trade Comm’n*, 22 F.4th 1369, 1376–77 (Fed. Cir. 2022) (“To offer expert testimony from the perspective of a skilled artisan in a patent case—like for claim construction, validity, or infringement—a witness must at least have ordinary skill in the art.”).
2. Exhibit 1005, File History for U.S. Pat. 7,414,599: Patent Owner objects to this document under Federal Rule of Evidence 106 as incomplete in that it lacks relevant portions of the file history, and under Federal Rule of Evidence 1002 as it is not a certified copy of the file history.

Date: January 2, 2024

Respectfully submitted,

By /David A. Garr/

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Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that the foregoing Patent Owner's Objections to Evidence was served by electronic mail on the following counsel of record for petitioner:

Travis Jensen (T61PTABDocket@orrick.com)
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Date: January 2, 2024

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