

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY INTERACTIVE ENTERTAINMENT LLC
Petitioner,

v.

QUANTUM IMAGING LLC
Patent Owner.

Patent No. 8,458,028

Inter Partes Review No. IPR2023-00954

**PETITIONER'S OBJECTION TO EVIDENCE SUBMITTED WITH
PATENT OWNER'S SUR-REPLY**

Petitioner Sony Interactive Entertainment LLC hereby objects to the following evidence that was submitted by Patent Owner Quantum Imaging LLC with the Patent Owner's Sur-Reply to Petitioner's Reply (Paper 35) in the above-captioned proceeding. In accordance with 37 C.F.R. § 42.64(b)(1), these objections are being timely filed and served within five (5) business days of service of the Patent Owner's Sur-Reply, which was served on July 8, 2024.

A. Exhibit 2015

Petitioner objects to Exhibit 2015 under 37 C.F.R. § 42.23(b), because a sur-reply "may not be accompanied by new evidence other than deposition transcripts of the cross-examination of any reply witness."

Petitioner objects to Exhibit 2015 as being incomplete, which results in a "misleading impression created by taking matters of context." (FRE 106.)

Exhibit 2015 is irrelevant and/or unduly prejudicial for at least the reasons set forth above. (*See* FRE 401-403.) The probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, misleading the factfinder, undue delay, wasting time, or needlessly presenting cumulative evidence. (FRE 403.)

B. Exhibit 2016

Petitioner objects to Exhibit 2016 for each of the reasons noted in the objections made during the underlying deposition.

Dated: July 15, 2024

Respectfully submitted,

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Certificate of Service (37 C.F.R. § 42.6(e)(4))

I hereby certify that the attached PETITIONER’S OBJECTION TO EVIDENCE
SUBMITTED WITH PATENT OWNER’S SUR-REPLY was served as of the
below date via email on to the following counsel for the Patent Owner:

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