

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DISH NETWORK L.L.C. AND DISH TECHNOLOGIES L.L.C.

Petitioners,

v.

DIGITAL BROADCASTING SOLUTIONS, LLC,

Patent Owner.

Case IPR2023-00976

U.S. Patent No. 8,929,710

**PETITIONERS' OBJECTIONS UNDER 37 C.F.R. § 42.64 TO
PATENT OWNER'S EVIDENCE SUBMITTED WITH
PATENT OWNER'S RESPONSE TO PETITION FOR *INTER PARTES*
REVIEW OF U.S. PATENT NO. 8,929,710**

DISH Network L.L.C. and DISH Technologies L.L.C. (collectively, “Petitioners”), respectfully submit the following objections to exhibits filed by Patent Owner on September 18, 2023 and March 11, 2024, as cited in its Patent Owner Response to Petitioner’s request for *Inter Partes* Review of U.S. Patent No. 8,929,710 (“the ’710 Patent”). These objections are made within five business days from the service of Patent Owner’s Response, which was served on March 11, 2024.

Objected to Exhibit	Basis for Objection
Ex. 2002	FRE 401-403: This exhibit should be excluded at least because it is irrelevant to any fact in issue in the instant Petition. This exhibit makes no mention of the ’796 Patent. Further, this exhibit is does not relate to the instant Petition and is substantially prejudicial relative to any marginal probative value. Nor would this exhibit help the trier of fact understand the evidence. FRE 802: This exhibit contains hearsay to the extent that Patent Owner attempts to use any of the statements contained therein for the truth of the matter asserted without regard to the underlying assumptions that form the basis for said statements.

Objected to Exhibit	Basis for Objection
Ex. 2003	FRE 401-403: This exhibit should be excluded at least because it is irrelevant to any fact in issue in the instant Petition. This exhibit makes no mention of the '796 Patent or the instant proceedings, and it provides marginal probative value to any fact in issue in the instant proceeding. Nor would this exhibit help the trier of fact understand the evidence or any fact in issue. If introduced, this exhibit would be substantially prejudicial to Petitioner. FRE 802: This exhibit contains hearsay to the extent that Patent Owner attempts to use any of the statements contained therein for the truth of the matter asserted without regard to the underlying assumptions that form the basis for said statements.
Ex. 2004	FRE 401-403: This exhibit should be excluded at least because it is irrelevant to any fact in issue in the instant Petition. This exhibit makes no mention of the '796 Patent or the instant proceedings, and it provides

Objected to Exhibit	Basis for Objection
	marginal probative value to any fact in issue in the instant proceeding. Nor would this exhibit help the trier of fact understand the evidence or any fact in issue. If introduced, this exhibit would be substantially prejudicial to Petitioner. FRE 802: This exhibit contains hearsay to the extent that Patent Owner attempts to use any of the statements contained therein for the truth of the matter asserted without regard to the underlying assumptions that form the basis for said statements.
Ex. 2007, ¶¶ 56-58, 61, 68, 69, 72, 75, 78, 82-84, 101, 103, 112, 116, 135, 139-141	FRE 401-403: These paragraphs are irrelevant at least because Dr. Freedman's testimony is not based on sufficient facts or data. Nor would it help the trier of fact understand the evidence or determine a fact in issue. FRE 702: Dr. Freedman's testimony in these paragraphs is conclusory and is not based on sufficient facts or data.

Objected to Exhibit	Basis for Objection
	FRE 802: These paragraph contains hearsay to the extent that Patent Owner attempts to use any of the statements contained therein for the truth of the matter asserted without regard to the underlying assumptions that form the basis for said statements.

Date: March 18, 2024

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on March 18, 2024, a complete and entire copy of these objections was provided via email to the Patent Owner by serving the correspondence email addresses of record as follows:

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