

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TVISION INSIGHTS, INC.,

Petitioner,

v.

THE NIELSEN COMPANY (US), LLC,

Patent Owner

Case IPR2023-01014
Patent No. 11,470,243

**PATENT OWNER'S OBJECTIONS TO THE ADMISSIBILITY OF
EVIDENCE**

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner The Nielsen Company (US), LLC. objects to the admissibility of evidence filed by Petitioner TVision Insights, Inc., as set forth below.

Exhibit Number	Objections
Ex. 1031	FRE 901, Trial Practice Guide II(I), ¶¶ 1, 4 Not authenticated. Petitioner has not shown that Ex. 1031 is a true and correct copy. Improper new evidence. Petitioner relies on new evidence that could have been presented in a prior filing to gap-fill by teaching a claim element not present in the prior art presented with the petition.
Ex. 1032	FRE 401, 402 Irrelevant. Patent Owner relies on a Patent in the field of mobile phone cameras to argue the state of the art in audience measurement systems.
Ex. 1034, ¶¶ 2-3	Trial Practice Guide II(I), ¶¶ 1, 4 Improper new evidence. Petitioner relies on new evidence that could have been presented in a prior filing to gap-fill by teaching a claim element not present in the prior art presented with the petition.
Ex. 1034, ¶ 4	FRE 401, 402 Irrelevant. Dr. Doermann describes downloading and analyzing a current version of the Cohn-Kanade database, but Petitioner has not shown that this is the same version analyzed by Tian in Ex. 1005.
Ex. 1034, ¶¶ 5-9	Trial Practice Guide II(I), ¶ 1, 4 Improper new evidence. Petitioner relies on new expert testimony that could have been presented in

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	a prior filing to establish a motivation to combine as part of the prima facie case of unpatentability.
Ex. 1034, ¶ 11-13	FRE 401, 402 Irrelevant. Patent Owner relies on a Patent (and related expert testimony) in the field of mobile phone cameras to argue the state of the art in audience measurement systems.

Respectfully submitted,

BY: /s/ Jennifer C. Bailey
Jennifer C. Bailey, Reg. No. 52,583

COUNSEL FOR PETITIONER

CERTIFICATE OF SERVICE ON PATENT OWNER
UNDER 37 C.F.R. § 42.6

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on July 31, 2024, the foregoing *Objections to the Admissibility of Evidence* was served via electronic filing with the Board and via Electronic Mail on the following practitioners of record for Petitioner:

Harper Batts (Reg. No. 56,160)
Chris Ponder (Reg. No. 77,167)
Jeffrey Liang (Reg. No. 69,043)

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