Filed on behalf of: AX Wireless, LLC

Entered: February 27, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION,
Petitioner,

v.

AX Wireless, LLC,
Patent Owner.

Case IPR2023-01143
Patent 9,584,262

PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner AX Wireless, LLC ("Patent Owner") submits the following objections to evidence submitted by Petitioner Intel Corporation ("Petitioner"). Patent Owner's objections apply equally to Petitioner's reliance on this evidence in any subsequently filed documents or further proceedings in this matter. These objections are timely, having been filed and served within ten business days of institution of trial. Notwithstanding these objections, Patent Owner expressly reserves the right to rely on any evidence submitted by Petitioner, including on the ground that such evidence constitutes a party admission.

Objections

Exhibits 1003, 1007, 1014

Patent Owner objects to these exhibits as inadmissible hearsay under FRE 801 and 802 not falling under any exception, and as improper expert testimony under FRE 702 and 703, to the extent they impermissibly act as a conduit for hearsay, including the hearsay objected to herein, and do not rely on the kinds of facts or data that experts in the relevant fields would reasonably rely on in forming an opinion on the subject without providing the underlying facts, data, and other required disclosures.

Patent Owner further objects to these exhibits for lack of foundation and lack of personal knowledge under FRE 602, and as improper lay testimony under FRE

701, to the extent they offer testimony in areas outside of Dr. LaPorta's, Dr. Lansford's and Dr. Ringle's areas of expertise or fail to properly provide the underlying facts, data, and other required disclosures.

Exhibits 1005, 1011-1013, 1015-1016, 1020-1023, 1025-1030, 1032-1037, 1042-1043

Patent Owner objects to these exhibits as not properly authenticated under FRE 901 because Petitioner has not presented sufficient evidence to show that they are authentic or self-authenticating under FRE 902. To the extent Petitioner relies on these documents for the truth of the matter asserted, Patent Owner objects to these exhibits as inadmissible hearsay under FRE 801 and 802 that do not fall under any exceptions, including those of FRE 803, 804, 805, or 807.

Exhibits 1006, 1008-1010, 1017-1019, 1031

To the extent Petitioner relies on these exhibits for the truth of the matter asserted, Patent Owner objects to these exhibits as inadmissible hearsay under FRE 801 and 802 that do not fall under any exceptions, including those of FRE 803, 804, 805, or 807.

Respectfully submitted,

Dated: February 27, 2024

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 27th day of February, 2024, a true and correct copy of the foregoing **Patent Owner's Objections to Petitioner's Evidence** was served by electronic mail on Petitioner's lead and backup counsel at the following email addresses:

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