

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Verizon Connect Inc.,
Petitioner,

v.

Omega Patents, LLC,
Patent Owner.

IPR2023-01162
Patent No.: 8,032,278 B2

**PETITIONER VERIZON CONNECT INC.'S OBJECTIONS TO
EVIDENCE SERVED AFTER INSTITUTION**

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Verizon Connect Inc. (“Petitioner” or “Verizon”) objects to evidence served in connection with the Patent Owner’s Response served on May 15, 2024. These objections have been timely filed and served within five business days of service of the evidence to which these objections are directed.

I. Petitioner’s Objections To Evidence Previously Served by Patent Owner

Petitioner incorporates by reference its objections served on March 5, 2024 to evidence served in Patent Owner’s Preliminary Response.

II. Exhibits 2035-2039

Petitioner objects to Exhibit 2035 (Prosecution History of Ser. No. 90/013,587 (RX1)), Exhibit 2036 (Prosecution History of Ser. No. 90/013,851 (RX2)), Exhibit 2037 (Prosecution History of Ser. No. 90/014,309 (RX3)), Exhibit 2038 (Prosecution History of Ser. No. 90/014,419 (RX4)), and Exhibit 2039 (Prosecution History of Ser. No. 90/014,675 (RX5)) as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403, and unhelpful under Fed. R. Evid. 701.

III. Exhibit 2040

Petitioner objects to Exhibit 2040 (D.I. 145-28, PL11, Omega Patents, LLC v. CalAmp Corp., No. 6:13-cv-1950 (M.D. Fla. Feb 25, 2016)) as irrelevant under

Fed. R. Evid. 401, inadmissible under Fed. R. Evid. 402, misleading and confusing the issues under Fed. R. Evid. 403, hearsay under Fed. R. Evid. 801 and inadmissible under Fed. R. Evid. 802.

IV. Exhibit 2042

Petitioner objects to Exhibit 2040 (U.S. Patent No. 7,149,623 to Flick) as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403, and unhelpful under Fed. R. Evid. 701.

V. Exhibit 2043

Petitioner objects to Exhibit 2043 (U.S. Patent No. 6,028,537 to Suman et al.) as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403, and unhelpful under Fed. R. Evid. 701.

VI. Exhibit 2044

Petitioner objects to Exhibit 2044 (Supplemental Declaration of Mr. Joseph C. McAlexander, III) as follows:

Petitioner objects to Paragraphs 11-13 as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403, unhelpful under Fed. R. Evid. 701, and not the product of reliable principles and methods and does not reflect a reliable application of the principles and methods to the facts of the case under Fed. R. Evid. 702, and hearsay under Fed. R. Evid. 801.

Petitioner objects to Paragraphs 15-16 as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403, unhelpful under Fed. R. Evid. 701, and not the product of reliable principles and methods and does not reflect a reliable application of the principles and methods to the facts of the case under Fed. R. Evid. 702.

Petitioner objects to Paragraph 17 as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403, unhelpful under Fed. R. Evid. 701, and hearsay under Fed. R. Evid. 801.

Petitioner objects to Paragraph 18 as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403, unhelpful under Fed. R. Evid. 701, and not the product of reliable principles and methods and does not reflect a reliable application of the principles and methods to the facts of the case under Fed. R. Evid. 702, and hearsay under Fed. R. Evid. 801.

Petitioner objects to Paragraph 19 as misleading and confusing the issues under Fed. R. Evid. 403, unhelpful under Fed. R. Evid. 701, and not the product of reliable principles and methods and does not reflect a reliable application of the principles and methods to the facts of the case under Fed. R. Evid. 702,

Petitioner objects to Paragraph 20 as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403, unhelpful under Fed. R. Evid. 701, not the product of reliable principles and methods and does not reflect

a reliable application of the principles and methods to the facts of the case under Fed. R. Evid. 702, and hearsay under Fed. R. Evid. 801.

Petitioner objects to Paragraphs 21-22 as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403, unhelpful under Fed. R. Evid. 701, and not the product of reliable principles and methods and does not reflect a reliable application of the principles and methods to the facts of the case under Fed. R. Evid. 702.

Petitioner objects to Paragraph 24 as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403, unhelpful under Fed. R. Evid. 701, and hearsay under Fed. R. Evid. 801.

Petitioner objects to Paragraph 25 as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403, unhelpful under Fed. R. Evid. 701, not the product of reliable principles and methods and does not reflect a reliable application of the principles and methods to the facts of the case under Fed. R. Evid. 702, and hearsay under Fed. R. Evid. 801.

Petitioner objects to Paragraph 26 as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403, unhelpful under Fed. R. Evid. 701, and hearsay under Fed. R. Evid. 801.

Petitioner objects to Paragraphs 27-28 as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403, unhelpful under Fed.

R. Evid. 701, not the product of reliable principles and methods and does not reflect a reliable application of the principles and methods to the facts of the case under Fed. R. Evid. 702, and hearsay under Fed. R. Evid. 801.

Petitioner objects to Paragraph 29 as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403 and hearsay under Fed. R. Evid. 801.

Petitioner objects to Paragraph 30 as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403, unhelpful under Fed. R. Evid. 701

Petitioner objects to Paragraphs 30-32 as irrelevant under Fed. R. Evid. 401, misleading and confusing the issues under Fed. R. Evid. 403, unhelpful under Fed. R. Evid. 701, not the product of reliable principles and methods and does not reflect a reliable application of the principles and methods to the facts of the case under Fed. R. Evid. 702, and hearsay under Fed. R. Evid. 801.

Dated: May 22, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), the undersigned hereby certifies that on May 22, 2024, a true and correct copy of the foregoing document was served via electronic mail on the Patent Owner upon the following counsel of record:

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Dated: May 22, 2024

/s/ Ashe Puri

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