Paper 39
October 2, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BRYCER, LLC, and BRYCER MANAGEMENT, INC.,
Petitioners

v.

TEGRIS, INC.,
Patent Owner.

Case No. IPR2023-01196
Patent No. 11,126,966

Before KAREN I. SWEENEY, *Trial Paralegal*

JOINT OBJECTIONS TO DEMONSTRATIVE EXHIBITS AND REQUEST FOR TELEPHONE CONFERENCE

Patent Owner's ("PO") Position: PO objects to Petitioners' demonstrative exhibits, EX1041 (111 slides) and untimely EX1042 (104 slides filed and served yesterday evening), as unauthorized additional briefing, with new arguments. They are not visual aids (*i.e.*, figures, charts or diagrams), instead they are mostly text, presenting a new "twist" on Petitioners' arguments. *CBS Interactive Inc. v. Helferich Patent Licensing, LLC*, Case IPR2013-00033 (PTAB Oct. 23, 2013) (Paper 118) at 3. The exhibits are also unduly burdensome, requiring detailed analysis of 215 slides and the record a few days before Oral Argument. *Id.* at 3-4. EX1041 and EX1042 should be excluded in their entirety. Alternatively, PO urges that the Board exclude:

Objection	**Slide Nos.**
Includes new argument(s)	**EX1041**, slides:11-17, 20-21, 25-28, 32, 35, 39-51, 53, 55-64, 66, 74, 76-80, 86, 88, 91, 93 **EX1042**, slides: 13-19, 42-45, 47-65, 68, 71-78, 80-83, 86, 94
Text/argument, i.e., not a demonstrative aid	**EX1041**, slides: 4, 6-7, 11-21, 23-111 **EX1042**, slides: 5-39, 41-67, 71-78, 80-83, 85-104

PO requests a conference call if EX1041 and EX1042 are not excluded.

Petitioners' Position: Within hours of hearing PO's objections, Petitioners addressed them, intending to moot any further dispute. Petitioners have removed, *e.g.*, issue headings on slide titles and text, other than specific call outs from the record. That took Petitioners' slides from 111 to 104. PO complains that it had to review 215 slides. This is wrong because it adds together Petitioners' original slide count, and the revised slide count. Petitioners did not *add* new matter in its revised slides, it deleted text, trying to reach agreement and avoid a dispute.

Date: October 22, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing JOINT OBJECTIONS TO DEMONSTRATIVE EXHIBITS AND REQUEST FOR TELEPHONE CONFERENCE was served on the above referenced date via email on the following attorneys for the Petitioners:

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