UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SEMICONDUCTOR COMPONENTS INDUSTRIES, LLC and TEXAS INSTRUMENTS INCORPORATED,

Petitioner,

v.

GREENTHREAD, LLC,

Patent Owner.

IPR2023-01242[1]
Patent 11,121,222

PETITIONER'S OBJECTIONS TO PATENT OWNER'S EVIDENCE SUBMITTED WITH PATENT OWNER'S SUR-REPLY

[1] Texas Instruments Incorporated, which filed a petition in IPR2024-00673, has been joined as a petitioner in this proceeding.

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Semiconductor Components Industries, LLC ("Petitioner") objects to the following exhibits filed by Patent Owner Greenthread, LLC ("Patent Owner") with its Sur-Reply (Paper No. 65).

Exhibit	**Objection(s)**
EX2077 – *Greenthread, LLC v. Cirrus Logic Inc.*, No. 1:23-cv-369-DC-DTG, Dkt. 53 (Claim Construction Order and Memorandum in Support Thereof) (W.D. Tex. Mar. 13, 2024)	**37 C.F.R. § 42.23(b):** Petitioner objects to EX2077 because it was submitted with Patent Owner's sur-reply. Sur-replies may not be accompanied by new evidence other than deposition transcripts of the cross-examination of any reply witness. EX2077 is not a deposition transcript of the cross-examination of any reply witness.
EX2078 – *Greenthread, LLC v. Cirrus Logic Inc.*, No. 1:23-cv-369-DC-DTG, Dkt. 37 (Opening Claim Construction Brief by Greenthread) (W.D. Tex. Nov. 27, 2023)	**37 C.F.R. § 42.23(b):** Petitioner objects to EX2078 because it was submitted with Patent Owner's sur-reply. Sur-replies may not be accompanied by new evidence other than deposition transcripts of the cross-examination of any reply witness. EX2078 is not a deposition transcript of the cross-examination of any reply witness.

Exhibit	Objection(s)
EX2079 – *Greenthread, LLC v. Samsung Elecs. Co.*, No. 2:19-cv-00147-JRG, 2020 WL 1911200 (Claim Construction Memorandum Opinion and Order) (E.D. Tex. Apr. 20, 2020)	**37 C.F.R. § 42.23(b):** Petitioner objects to EX2079 because it was submitted with Patent Owner's sur-reply. Sur-replies may not be accompanied by new evidence other than deposition transcripts of the cross-examination of any reply witness. EX2079 is not a deposition transcript of the cross-examination of any reply witness.
EX2080 – Exhibit 2022 in *Texas Instruments Inc. v. Greenthread LLC*, IPR2024-00771 (including excerpts of the Deposition Transcript of Scott Warrick taken on June 7, 2024 along with marked Exhibits 3-5 in *Greenthread, LLC vs. Cirrus Logic, Inc.*, 1:23-cv-00369-DC (W.D. Tex.))	**401-403/801/802/901/37 C.F.R. § 42.23(b):** Petitioner objects to EX2080 as being irrelevant, misleading, and confusing, and its probative value, if any, is outweighed by prejudice. This exhibit purports to be a deposition transcript and exhibits from a separate *Inter Partes* Review. Moreover, Patent Owner does not cite this exhibit in their Patent Owner Response and improperly submitted it with its sur-reply. As such, this evidence should be excluded. Petitioner further objects to EX2080 for containing hearsay and for lacking authenticity. For example, Patent Owner has neither authenticated this exhibit, nor laid the foundation for any hearsay exception. Petitioner further objects to this exhibit because Patent Owner has not shown that it is an original document or authentic duplicate. Petitioner further objects to EX2080 because it was submitted with Patent Owner's sur-reply. Sur-replies may not be accompanied by new evidence other than deposition transcripts of the cross-examination of any reply witness. EX2080 is not a deposition transcript of the cross-examination of any reply witness.

Exhibit	**Objection(s)**
EX2081 – Email communications between the Board, Petitioner's counsel and Patent Owner's counsel dated August 13, 2024	**401-403/37 C.F.R. § 42.23(b)**: Petitioner objects to EX2081 as being irrelevant, misleading, and confusing, and its probative value, if any, is outweighed by prejudice. Petitioner further objects to EX2081 because it was submitted with Patent Owner's sur-reply. Sur-replies may not be accompanied by new evidence other than deposition transcripts of the cross-examination of any reply witness. EX2081 is not a deposition transcript of the cross-examination of any reply witness.

Dated: September 30, 2024

/Roger Fulghum/
Roger Fulghum
Reg. No. 39,678

Counsel for Petitioner
Semiconductor Components Industries, LLC

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 30th day of September, 2024, **Petitioner's Objections to Patent Owner's Evidence Submitted With Patent Owner's Sur-Reply** was served by email on the following counsel for Patent Owner and the Joined Petitioner:

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Date

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