UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MOTOROLA SOLUTIONS, INC.,
Petitioner,

v.

STA GROUP LLC,

Patent Owner.

Case IPR2023-01295
Patent 8,994,830 B2

PETITIONER'S OBJECTIONS TO EVIDENCE SUBMITTED WITH PATENT OWNER'S RESPONSE

Submitted Electronically

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Motorola Solutions, Inc. ("MSI") objects to the following exhibits filed by Patent Owner STA Group LLC ("STA") with its Patent Owner Response ("POR," Paper No. 18) based on the following Federal Rules of Evidence ("FRE") and other provisions. These objections are timely, as they are being made within five business days of service of the evidence (July 2, 2024). The following chart lists MSI's objections to the admissibility of certain evidence (identified below) that is included within or accompanies the POR and the basis for those objections.

Exhibit	**Description**	**Objections**
2006	Declaration of Robert Akl, Ph.D.	**FRE 401-403; 37 C.F.R. § 42.53(d)(5)(ii); 37 C.F.R. § 42.53(f)(2); FRE 106; Appendix D, Consolidated Trial Practice Guide (Nov. 2019):** MSI objects to the contents of Exhibit 2006 to the extent that the declarant relies on Exhibit 2008 for the same reasons provided herein for Exhibit 2008. **FRE 401-403:** MSI objects to Exhibit 2006, including at least ¶¶133-138, for including information that is irrelevant. This testimony thus lacks any tendency to make a fact that is of consequence in determining this action more or less probable than it would be without this testimony. To the extent this document has any probative value to any ground upon which trial was instituted, it is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.

Exhibit	Description	Objections
		FRE 602: MSI objects to Exhibit 2006, including at least ¶139, because STA did not introduce sufficient evidence to establish that the witness has personal knowledge of the matters discussed. **FRE 701:** MSI objects to Exhibit 2006, including at least ¶139, as improper testimony by a lay witness under FRE 701. STA has not established the declarant as an expert witness in the subject matter discussed in these paragraphs. **FRE 702 and 703:** MSI objects to Exhibit 2006, including at least ¶¶ 31-32, 36, 38, 42, 45-54, 55-59, 60-64, 66-69, 70-75, 77-78, 79-81, 82-89, 90-92, 94, 95-99, 100-103, 106, 107-108, 109-116, 117-119, 120-128, 129-132, 133-138, 139-141, 142-148, 149-152, and 153-157, as improper testimony under FRE 702 and 703. The testimony is based on insufficient facts or data, is not the product of reliable principles and methods, does not reliably apply the appropriate principles and methods to the fact of the case, and is not commensurate with the scope of the claims.
2008	Deposition Transcript of Nathaniel Polish, Ph.D., dated June 19, 2024	**FRE 401-403:** MSI objects to the testimony from page 17:8-14 and 79:16-81:10 for including information that is irrelevant. The cited portions involve lines of questioning by STA's counsel regarding unrelated proceedings involving unrelated patents. This testimony thus lacks any tendency to make a fact that is of consequence in determining this action more or less probable than it would be without this testimony. To the extent this testimony has any probative value to any ground upon which trial was instituted, it is substantially outweighed by the danger of unfair prejudice,

Exhibit	Description	Objections
		confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence. **37 C.F.R. § 42.53(d)(5)(ii):** MSI objects to the testimony from 36:21-37:17, 45:1-10, 46:7-16, 47:10-22, 62:12-63:5, 64:18-65:16, 79:16-80:25, 85:8-86:6, 101:4-102:5, 115:10-16, 117:25-118:13, as outside the scope of Dr. Polish's direct testimony. **37 C.F.R. § 42.53(f)(2); FRE 106; Appendix D, Consolidated Trial Practice Guide (Nov. 2019):** MSI objects to Exhibit 2008 because it is incomplete and because it does not accurately reflect the questions asked and answers given during Dr. Polish's deposition. 37 C.F.R. § 42.53(f)(2) provides that "[t]he testimony shall be taken with any questions and answers recorded in their regular order by the officer[.]" During Dr. Polish's deposition, counsel for STA repeatedly used the phrase "strike that" to "restart [his] question[.]" EX2008, 20:18-20. This occurred nearly thirty times during Dr. Polish's deposition, based on the rough transcript provided by the reporter. The version of the transcript submitted as Exhibit 2008, however, does not reflect counsel for STA's repeated requests to "strike that" or the statements made by counsel preceding the requests.

Respectfully Submitted,

Date: July 9, 2024

/Eliot D. Williams/

Eliot D. Williams (Reg. No. 50,822)
BAKER BOTTS L.L.P.
700 K Street, N.W
Washington, D.C. 20001-5692
Tel: 202-639-1334
eliot.williams@bakerbotts.com
Attorneys for Petitioner, Motorola Solutions, Inc.

CERTIFICATE OF SERVICE

In accordance with 37 C.F.R. § 42.6(e), the undersigned certifies that on July 9, 2024, a complete and entire copy of the **PETITIONER'S OBJECTIONS TO EVIDENCE SUBMITTED WITH PATENT OWNER'S RESPONSE** was served on Patent Owner via email at the following correspondence addresses:

Jason.Engel.PTAB@klgates.com

Kyle.Kantarek@klgates.com

Nolan.Hubbard@klgates.com

Dennis.Majewski@klgates.com

Date: July 9, 2024

/Eliot D. Williams/
Eliot D. Williams (Reg. No. 50,822)
BAKER BOTTS L.L.P.
700 K Street, N.W
Washington, D.C. 20001-5692
Tel: 202-639-1334
eliot.williams@bakerbotts.com

Attorneys for Petitioner, Motorola Solutions, Inc.