

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HISENSE USA CORPORATION,
Petitioner

v.

BRIGHTPLUS VENTURES LLC,
Patent Owner

Case IPR2023-01311
Patent 8,177,382

**PETITIONER'S OBJECTIONS TO EVIDENCE
FILED WITH PATENT OWNER'S RESPONSE**

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Hisense USA Corporation (“Petitioner”) hereby objects to Patent Owner Brightplus Ventures LLC’s (“Patent Owner”) exhibits submitted with its Patent Owner Response (Paper 12):

Exhibit Number and Description	Objections
Ex. 2003 – Declaration of William K. Bohannon	<p>37 C.F.R. § 42.65: The exhibit contains expert testimony that does not disclose the underlying facts or data on which the opinion is based.</p> <p>FRE 402: The exhibit includes information that is not relevant to any ground upon which trial was instituted.</p> <p>FRE 403: The exhibit includes information whose probative value to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.</p> <p>FRE 702/703 (Unreliable expert testimony): The exhibit contains statements and opinions that are not admissible under FRE 702 or 703. For example, the exhibit fails to identify facts or data supporting the witness’s conclusory testimony, and that testimony thus is not based on sufficient facts or data. Further, the testimony is not the product of reliable principles and methods, and the witness fails to reliably apply the principles and methods of the facts of the case.</p> <p>The exhibit contains opinions for which the factual bases have not been disclosed, including</p>

	<p>numerous broad and/or conclusory statements made without analysis or sufficient citation to evidence or explanation.</p> <p>FRE 802: The exhibit and statements included therein are inadmissible hearsay, and the witness has not been made available for cross-examination.</p>
<p>Ex. 2004 – Curriculum Vitae of William K. Bohannon</p>	<p>Petitioner objects to Mr. Bohannon’s CV for the same reasons set forth above for his Declaration (Exhibit 2003).</p> <p>FRE 402: The exhibit includes information that is not relevant to any ground upon which trial was instituted. Patent Owner never relies on this exhibit. <i>See also</i> 37 CFR § 42.104 (“The Board may exclude or give no weight to the evidence where a party has failed to state its relevance or to identify specific portions of the evidence that support the challenge.”).</p> <p>FRE 403: The exhibit includes information whose probative value to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.</p> <p>FRE 802: The exhibit and statements included therein are inadmissible hearsay.</p>

Dated: May 29, 2024

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date below a copy of this
**PETITIONER'S OBJECTIONS TO EVIDENCE FILED WITH PATENT
OWNER'S RESPONSE** was served on Patent Owner by filing through the P-
TACTS System, as well as by delivering a copy via electronic mail to the
following:

Hao Ni – hni@nilawfirm.com
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Dated: May 29, 2024

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