

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MERCEDES-BENZ USA, LLC,
Petitioner,

v.

DAEDALUS PRIME LLC,
Patent Owner.

Case IPR2023-01335
Patent No. 8,775,833

**PETITIONER'S OBJECTIONS TO EVIDENCE
PURSUANT TO 37 C.F.R. § 42.64(B)(1)**

Filed on behalf of Petitioner:
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I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Mercedes-Benz USA, LLC (“Petitioner”) asserts the following objections to the below exhibits submitted by Patent Owner Daedalus Prime LLC (“Patent Owner”) with its Patent Owner’s Response (“Response”) in this *inter partes* review. As required by 37 C.F.R. § 42.62, Petitioner’s objections apply the Federal Rules of Evidence (“F.R.E.”). These objections apply equally to Patent Owner’s reliance on these exhibits in any subsequently filed documents.

- EX2003, U.S. PGPUB 2010/0162006 Therien;
- EX2004, U.S. Patent No. 8,924,758 Steinman;
- EX2005, U.S. Patent No. 6,711,691 Howard.

II. OBJECTIONS

A. Exhibits 2003-2005

Petitioner objects to Exhibits 2003, 2004, and 2005 under F.R.E. 401-402 because they are not relevant, at least to the extent that they are not relied upon in the Patent Owner Response. Petitioner also objects to Exhibits 2003, 2004, and 2005 because any probative value of these exhibits is substantially outweighed by other considerations under F.R.E. 403, including unfair prejudice, confusion of the issues, and waste of time.

III. CONCLUSION

These objections are timely filed under 37 C.F.R. § 42.64(b)(1), within five business days of the Response served on May 24, 2024. To the extent Patent Owner fails to correct the defects associated with the challenged exhibits in view of Petitioner's objections herein, Petitioner may file a motion to exclude the challenged evidence under 37 C.F.R. § 42.64(c).

Dated: May 31, 2024

Respectfully submitted,

/s/ Celine Jimenez Crowson

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CERTIFICATION OF SERVICE (37 C.F.R. § 42.6(e))

The undersigned certifies that, in accordance with 37 C.F.R. § 42.6(e) and 37 C.F.R. § 42.105, the foregoing was served on May 31, 2024 in their entirety upon the following parties via electronic mail:

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/s/ Ky-Yen Wong
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