UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AYLO FREESITES LTD,

Petitioners,

v.

DISH TECHNOLOGIES L.L.C.,

Patent Owner.

Case IPR2024-00146

U.S. Patent No. 10,469,555

PATENT OWNER'S OBJECTIONS UNDER 37 C.F.R. § 42.64 TO PETITIONER'S EVIDENCE SUBMITTED WITH PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 10,469,555

DISH Technologies L.L.C. ("Patent Owner"), respectfully submits the following objections to exhibits filed by Petitioner on November 7, 2023, as cited in its Petitioner's request for *Inter Partes* Review of U.S. Patent No. 10,469,555 ("the '555 Patent"). These objections are made within five business days from the Board's decision to Institute, which was signed on April 25, 2024.

Objected to Exhibit	**Basis for Objection**
Ex. 1003 – Dr. Houh Declaration, ¶¶ 68, 74, 78, 81, 88, 97, 99-100, 111-112	**FRE 401-403:** These paragraphs are irrelevant at least because Dr. Houh's testimony is not based on sufficient facts or data. Nor would it help the trier of fact understand the evidence or determine a fact in issue. **FRE 702:** Dr. Houh's testimony in these paragraphs is conclusory and is not based on sufficient facts or data. **FRE 802:** These paragraph contains hearsay to the extent that Petitioner attempts to use any of the statements contained therein for the truth of the matter asserted without regard to the underlying assumptions that form the basis for said statements.

Objected to Exhibit	Basis for Objection
Ex. 1006 – SMIL 2.0	**FRE 401-403:** This exhibit should be excluded at least because it is irrelevant to any fact in issue in the instant Petition. This exhibit makes no mention of the '555 Patent or the instant proceedings, and it provides marginal probative value to any fact in issue in the instant proceeding. Nor would this exhibit help the trier of fact understand the evidence or any fact in issue. If introduced, this exhibit would be substantially prejudicial to Patent Owner. **FRE 802:** This exhibit contains hearsay to the extent that Petitioner attempts to use any of the statements contained therein for the truth of the matter asserted without regard to the underlying assumptions that form the basis for said statements.
Ex. 1007 – Chang	**FRE 401-403:** This exhibit should be excluded at least because it is irrelevant to any fact in issue in the instant Petition. This exhibit makes no mention of the '555 Patent or the instant proceedings, and it provides

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	marginal probative value to any fact in issue in the instant proceeding. Nor would this exhibit help the trier of fact understand the evidence or any fact in issue. If introduced, this exhibit would be substantially prejudicial to Patent Owner. **FRE 802:** This exhibit contains hearsay to the extent that Petitioner attempts to use any of the statements contained therein for the truth of the matter asserted without regard to the underlying assumptions that form the basis for said statements.
Ex. 1008 – Kliger	**FRE 401-403:** This exhibit should be excluded at least because it is irrelevant to any fact in issue in the instant Petition. This exhibit makes no mention of the '555 Patent or the instant proceedings, and it provides marginal probative value to any fact in issue in the instant proceeding. Nor would this exhibit help the trier of fact understand the evidence or any fact in issue. If

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	introduced, this exhibit would be substantially prejudicial to Patent Owner. **FRE 802:** This exhibit contains hearsay to the extent that Petitioner attempts to use any of the statements contained therein for the truth of the matter asserted without regard to the underlying assumptions that form the basis for said statements.
Ex. 1013 – Chou	**FRE 401-403:** This exhibit is irrelevant because it was not cited in the Petition.
Ex. 1014 – Ogdon Provisional	**FRE 401-403:** This exhibit should be excluded at least because it is irrelevant to any fact in issue in the instant Petition. This exhibit makes no mention of the '555 Patent or the instant proceedings, and it provides marginal probative value to any fact in issue in the instant proceeding. Nor would this exhibit help the trier of fact understand the evidence or any fact in issue. If introduced, this exhibit would be substantially prejudicial to Patent Owner.

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	FRE 802: This exhibit contains hearsay to the extent that Petitioner attempts to use any of the statements contained therein for the truth of the matter asserted without regard to the underlying assumptions that form the basis for said statements.
Ex. 1015 – Ogdon FH	**FRE 401-403:** This exhibit should be excluded at least because it is irrelevant to any fact in issue in the instant Petition. This exhibit makes no mention of the '555 Patent or the instant proceedings, and it provides marginal probative value to any fact in issue in the instant proceeding. Nor would this exhibit help the trier of fact understand the evidence or any fact in issue. If introduced, this exhibit would be substantially prejudicial to Patent Owner. **FRE 802:** This exhibit contains hearsay to the extent that Petitioner attempts to use any of the statements contained therein for the truth of the matter asserted without regard

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	to the underlying assumptions that form the basis for said statements.

Date: May 8, 2024

/ Eliot D. Williams /

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on May 8, 2024, a complete and entire copy of these objections were provided via email to the Petitioner by serving the correspondence email addresses of record as follows:

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