UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner

v.

SECURITY FIRST INNOVATIONS, LLC,
Patent Owner

Case IPR2024-00215
Patent 10,452,854

PATENT OWNER'S OBJECTIONS PURSUANT TO 37 C.F.R. § 42.64(b)(1)

Pursuant to 37 C.F.R. § 42.64(b)(1) and the Federal Rules of Evidence ("FRE"), Patent Owner Security First Innovations, LLC hereby objects to the following documents submitted by Petitioner Google LLC.

Nothing in this paper should be construed as an admission that any rights of Patent Owner would have been waived or forfeited had the paper or any objection herein not been filed, or that 37 C.F.R. § 42.64(b) applies to any of the objections herein if § 42.64(b) would not otherwise apply. The objections herein are premised upon § 42.64 potentially being determined to apply to the document in question, and are submitted solely to preserve the rights of Patent Owner should § 42.64(b) be determined to apply.

1. <u>Exhibit 1072</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

2. <u>Exhibit 1073</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

3. <u>Exhibit 1074</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

4. <u>Exhibit 1075</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

5. <u>Exhibit 1076</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

6. <u>Exhibit 1077</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

7. <u>Exhibit 1078</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

8. <u>Exhibit 1079</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition. Under FRE 401/402/403, the exhibit is also inadmissible as irrelevant because, among other things, it does not form a basis of the instituted grounds, and their probative values are outweighed by other considerations including prejudice, confusion and waste of time. Under FRE 801/802, to the extent this document is relied upon for the truth of the matter asserted, this document constitutes and contains inadmissible hearsay. Under FRE 901, this document is inadmissible because it has not been shown to be authenticated or identified.

9. <u>Exhibit 1080</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition. Under FRE 401/402/403, the exhibit is also inadmissible as irrelevant because, among other things, it does not form a basis of the instituted grounds, and their probative values are outweighed by other considerations including prejudice, confusion and waste of time. Under FRE 801/802, to the extent this document is relied upon for the truth of the matter asserted, this document constitutes and contains inadmissible hearsay. Under FRE 901, this document is inadmissible because it has not been shown to be authenticated or identified.

10. <u>Exhibit 1081</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

11. <u>Exhibit 1082</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition. Under FRE 401/402/403, the exhibit is also inadmissible as irrelevant because, among other things, it does not form a basis of the instituted grounds, and their probative values are outweighed by other considerations including prejudice, confusion and waste of time. Under FRE 801/802, to the extent this document is relied upon for the truth of the matter asserted, this document constitutes and contains inadmissible hearsay. Under FRE 901, this document is inadmissible because it has not been shown to be authenticated or identified.

12. <u>Exhibit 1083</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

13. <u>Exhibit 1084</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

14. <u>Exhibit 1085</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

15. <u>Exhibit 1086</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

16. <u>Exhibit 1087</u>

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17. <u>Exhibit 1088</u>

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18. <u>Exhibit 1089</u>

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19. <u>Exhibit 1090</u>

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20. <u>Exhibit 1091</u>

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21. <u>Exhibit 1092</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

22. <u>Exhibit 1093</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

23. <u>Exhibit 1094</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

24. <u>Exhibit 1095</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

25. <u>Exhibit 1096</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition. Under FRE 401/402/403, the exhibit is also inadmissible as irrelevant because, among other things, it does not form a basis of the instituted grounds, and their probative values are outweighed by other considerations including prejudice, confusion and waste of time. Under FRE 801/802, to the extent this document is relied upon for the truth of the matter asserted, this document constitutes and contains inadmissible hearsay. Under FRE 901, this document is inadmissible because it has not been shown to be authenticated or identified.

26. <u>Exhibit 1097</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

27. <u>Exhibit 1098</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

28. <u>Exhibit 1100</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

29. <u>Exhibit 1101</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

30. <u>Exhibit 1102</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

31. <u>Exhibit 1103</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

32. <u>Exhibit 1104</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

33. <u>Exhibit 1105</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

34. <u>Exhibit 1106</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition. Under FRE 401/402/403, the exhibit is also inadmissible as irrelevant because, among other things, it does not form a basis of the instituted grounds, and their probative values are outweighed by other considerations including prejudice, confusion and waste of time. Under FRE 801/802, to the extent this document is relied upon for the truth of the matter asserted, this document constitutes and

contains inadmissible hearsay. Under FRE 901, this document is inadmissible because it has not been shown to be authenticated or identified.

35. <u>Exhibit 1107</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

36. <u>Exhibit 1108</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

37. <u>Exhibit 1109</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition. Under FRE 401/402/403, the exhibit is also inadmissible as irrelevant because, among other things, it does not form a basis of the instituted grounds, and their probative values are outweighed by other considerations including prejudice, confusion and waste of time. Under FRE 801/802, to the extent this document is relied upon for the truth of the matter asserted, this document constitutes and contains inadmissible hearsay. Under FRE 901, this document is inadmissible because it has not been shown to be authenticated or identified.

38. <u>Exhibit 1110</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

39. <u>Exhibit 1111</u>

Under the Trial Practice Guide, the testimony in this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition. Under FRE 602/701/801/802 and 37 C.F.R. § 42.61, this document includes testimony that is not shown to be based on first-hand knowledge including of how relied-upon data was generated, is based on speculation, and constitutes and contains inadmissible hearsay. Under FRE 401/402/403/702, this document includes testimony not relevant to the instituted review, because, among other things, it has not been shown that the purportedly expert declarant is qualified to testify competently regarding the matters the opinions are said to address, or that the declarant's testimony is based on sufficient facts or data or arrived at by reliable principles, procedures, or methods reliably applied to the facts of this case, or that the declarant's opinion will assist the trier of fact to understand the evidence or to determine any fact in issue and does not have a greater potential to mislead than to enlighten. Under FRE 401/705 and 37 C.F.R. § 42.65, this document does not disclose underlying facts and data. Under

FRE 401/705 and 37 C.F.R. § 42.65, this document includes testimony on patent law and practice.

40. <u>Exhibit 1112</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

41. <u>Exhibit 1113</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

42. <u>Exhibit 1114</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

43. <u>Exhibit 1115</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

44. <u>Exhibit 1117</u>

Under the Trial Practice Guide, this exhibit is untimely because it is relied upon to establish Petition's case-in-chief and could have been submitted with the Petition.

Respectfully submitted,

____/ Kenneth J. Weatherwax /_____
Kenneth J. Weatherwax, Reg. No. 54,528
Lowenstein & Weatherwax LLP

Date: December 30, 2024

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the following documents were served by electronic service, by agreement between the parties, on the date signed below:

PATENT OWNER'S OBJECTIONS PURSUANT TO 37 C.F.R. § 42.64(b)(1)

The names and address of the parties being served are as follows:

Elisabeth H. Hunt	EHunt-PTAB@wolfgreenfield.com
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Nathan R. Speed	NSpeed@wolfgreenfield.com

Respectfully submitted,

/ Colette Woo /

Date: December 30, 2024