

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DROPBOX, INC.,

Petitioner

v.

MOTION OFFENSE, LLC,

Patent Owner

IPR2024-00287
U.S. Patent No. 11,611,520

**PATENT OWNER'S OBJECTIONS TO PETITIONER'S PRE-
INSTITUTION EVIDENCE PURSUANT TO 37 C.F.R. § 42.64(b)(1)**

Under 37 C.F.R. § 42.107

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
Submitted Electronically via PTAB E2E

Under the Federal Rules of Evidence and 37 C.F.R. § 42.64, Patent Owner Motion Offense, LLC (“Patent Owner”) timely objects to evidence submitted by Dropbox, Inc. (“Petitioner”) prior to institution of Inter Partes Review IPR2024-00287. Patent Owner serves Petitioner with these objections to provide notice that Patent Owner may move to exclude the challenged exhibits under 37 C.F.R. § 42.64(c) unless Petitioner cures the defects associated with the challenged exhibits identified below.

Ex. 1103 U.S. Patent No. 8,825,597 (“Houston”)

Patent Owner objects to this document as being irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being confusing or a waste of time under Fed. R. Evid. 403.

Ex. 1106 U.S. Patent Application Publication No. 2007/0011246 (“Wu”)

Patent Owner objects to this document as being irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being confusing or a waste of time under Fed. R. Evid. 403.

Ex. 1109 U.S. Patent Application Publication No. 2013/0067303 (“Kantor”)

Patent Owner objects to this document as being irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being confusing or a waste of time under Fed. R. Evid. 403.

Ex. 1113¹ Motion Offense, LLC v. Dropbox, Inc., WDTX-6:20-cv-00251, Jury Verdict Form, May 19, 2023, Dkt. 382

Patent Owner objects to this document as being irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being unfairly prejudicial, confusing or a waste of time under Fed. R. Evid. 403. Patent Owner also objects to this document under Fed. R. Evid. 106 because the trial transcript and record must be considered at the same time.

Ex. 1115 U.S. Patent No. 6,351,776 (“O’Brien”)

Patent Owner objects to this document as being irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being confusing or a waste of time under Fed. R. Evid. 403.

Ex. 1116 U.S. Patent Application Publication No. 2008/0320397 (“Do”)

Patent Owner objects to this document as being irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being confusing or a waste of time under Fed. R. Evid. 403.

Ex. 1118 Motion Offense, LLC v. Dropbox, Inc., WDTX-6:23-cv-00303, First Amended Complaint for Patent Infringement, July 26, 2023, Dkt. 22

Patent Owner objects to this document as being irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being unfairly

¹ The document is also mistakenly referenced as Exhibit 1013 in the Petition.

prejudicial, confusing or a waste of time under Fed. R. Evid. 403. Patent Owner also objects to this document under Fed. R. Evid. 106 because the trial transcript and record involving the related patents must be considered at the same time..

Ex. 1119 U.S. Patent Application Publication No. 2004/0267705 (“Lemus”)

Patent Owner objects to this document as being irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being confusing or a waste of time under Fed. R. Evid. 403.

Ex. 1120 U.S. Patent No. 6,304,948 (“Motoyama”)

Patent Owner objects to this document as being irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being confusing or a waste of time under Fed. R. Evid. 403.

Ex. 1121 U.S. Patent No. 7,559,088 (“Cohen”)

Patent Owner objects to this document as being irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being confusing or a waste of time under Fed. R. Evid. 403.

Ex. 1122 U.S. Patent Application Publication No. 2003/0182332

(“McBrearty”)

Patent Owner objects to this document as being irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being confusing or a waste of time under Fed. R. Evid. 403.

Ex. 1123 Motion Offense, LLC v. Dropbox, Inc., WDTX-6:23-cv-00303,
Plaintiff's Disclosure of Preliminary Infringement Contentions, September 20,
2023

Patent Owner objects to this document as being irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being unfairly prejudicial, confusing or a waste of time under Fed. R. Evid. 403. Patent Owner also objects to this document under Fed. R. Evid. 106 because it omits an attached claim chart.

Dated: August 8, 2024

DEVLIN LAW FIRM LLC

/ Derek Dahlgren /

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CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2024, I caused a true and correct copy of the foregoing materials to be served via the Patent Office electronic filing system, and electronic service via email to the following attorneys of record pursuant to Petitioner's consent.

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