

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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QUALCOMM INCORPORATED  
Petitioner<sup>1</sup>

v.

NETWORK SYSTEM TECHNOLOGIES, LLC  
Patent Owner

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Case: IPR2024-00338  
U.S. Patent No. 7,373,449 B2

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**PETITIONER QUALCOMM INCORPORATED'S OBJECTIONS TO  
EVIDENCE UNDER 37 C.F.R. § 42.64(b)(1)**

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<sup>1</sup> Qualcomm Incorporated filed a petition and motion for joinder in IPR2024-01081 and has been joined as a petitioner in this proceeding.

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner hereby submits objections to evidence. Patent Owner submitted evidence with Patent Owner's Response on November 19, 2024. Therefore, Petitioner's objections are timely under to 37 C.F.R. § 42.64(b)(1).

Petitioner identifies the ground for objection below including the Federal Rule of Evidence ("FRE") or other rules that form the basis for the objections.

**1. Exs. 2070 and 2071 – Declaration and CV of Dr. Nadar Bagherzadeh**

Petitioner objects to Ex. 2070 and Ex-2071 as hearsay to the extent Petitioner does not have the opportunity to cross-examine Dr. Bagherzadeh regarding his expert declaration. Fed. R. Evid. 801-807. Petitioner also objects to Ex. 2070 as lacking foundation, assuming facts not in evidence, containing testimony on matters as to which the witness lacks personal knowledge and as being conclusory. Petitioner further objects to Ex. 2070 under FRE 702 for failing to demonstrate that the declarant is qualified as an expert in the relevant subject-matter. Ex. 2070 is further objected to under FRE 702(b), (c) and (d) as failing to be based upon sufficient facts or data, as the product of unreliable principles and methods and for failing to reliably apply sound principles and methods to the facts of the case. Petitioner further objects to Ex. 2070 as irrelevant under FRE 401 and 402, and as being unfairly prejudicial, confusing and misleading under FRE 403. To the extent that Dr. Bagherzadeh has not disclosed materials considered other

than those referenced in his declaration, Petitioner objects to Ex. 2070. *See* 37 C.F.R. §§ 42.65(a) and (b).

Petitioner objects to paragraphs, under FRE 703, to the extent those paragraphs 75-77, 79-80, 81, 83-85, 158 rely on Exhibits 2072, 2073, 2074, 2075, 2076, 2077, which Petitioner objected to as inadmissible evidence.

**2. Ex. 2072 – Tobia Bjerregaard and Shankar Mahadevan, *A Survey of Research and Practices on Networks-on-Chip***

Petitioner objects to Ex. 2072 to the extent Patent Owner is relying on it for a hearsay purpose. Fed. R. Evid. 801-807. Petitioner further objects to Ex. 2072 because it is not sufficiently relevant, and any relevance is outweighed by risk of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder, including that, for example, Ex. 2072 does not appear to be cited in Patent Owner's Response and appears to be dated 2006 (after the relevant priority date). Fed. R. Evid. 401-403.

**3. Ex. 2073 – Maksat Atagoziyev, *Routing Algorithms for on Chip Networks***

Petitioner objects to Ex. 2073 to the extent Patent Owner is relying on it for a hearsay purpose. Fed. R. Evid. 801-807. Petitioner further objects to Ex. 2073 because it is not sufficiently relevant, and any relevance is outweighed by risk of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder, including that, for example, Ex. 2073 does not appear to be cited in Patent Owner's

Response and appears to be dated December 2007 (after the relevant priority date), and is not signed or dated on the approvals page. Fed. R. Evid. 401-403. Petitioner also objects to the exhibit as lacking authentication. Fed. R. Evid. 901.

**4. Ex. 2074 – McGraw Hill Dictionary**

Petitioner objects to Ex. 2074 to the extent Patent Owner is relying on it for a hearsay purpose. Fed. R. Evid. 801-807. Petitioner further objects to Ex. 2074 because it is not sufficiently relevant, and any relevance is outweighed by risk of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder, including that, for example, Ex. 2074 does not appear to be cited in Patent Owner's Response. Fed. R. Evid. 401-403. Petitioner also objects to Ex. 2074 as incomplete under FRE 106.

**5. Ex. 2075 – IEEE Dictionary**

Petitioner objects to Ex. 2075 to the extent Patent Owner is relying on it for a hearsay purpose. Fed. R. Evid. 801-807. Petitioner further objects to Ex. 2075 because it is not sufficiently relevant, and any relevance is outweighed by risk of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder, including that, for example, Ex. 2075 does not appear to be cited in Patent Owner's Response. Fed. R. Evid. 401-403. Petitioner also objects to Ex. 2075 as incomplete under FRE 106.

**6. Ex. 2076 – Supported token-ring functions**

Petitioner objects to Ex. 2076 to the extent Patent Owner is relying on it for a hearsay purpose. Fed. R. Evid. 801-807. Petitioner further objects to Ex. 2076 because it is not sufficiently relevant, and any relevance is outweighed by risk of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder, including that, for example, Ex. 2076 does not appear to be cited in Patent Owner's Response, does not give any indication of authorship, and appears to be dated 2021 (after the relevant priority date). Fed. R. Evid. 401-403. Petitioner also objects to Ex. 2074 as incomplete under FRE 106. Petitioner also objects to the exhibit as lacking authentication. Fed. R. Evid. 901.

**7. Ex. 2077 – Jonathan Follows, *Token Ring Solutions***

Petitioner objects to Ex. 2077 to the extent Patent Owner is relying on it for a hearsay purpose. Fed. R. Evid. 801-807. Petitioner further objects to Ex. 2077 because it is not sufficiently relevant, and any relevance is outweighed by risk of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder, including that, for example, Ex. 2077 does not appear to be cited in Patent Owner's Response.

**8. Ex. 2081 – Terms & Disclosures for Use of IEEE Websites**

Petitioner objects to Ex. 2081 to the extent Patent Owner is relying on it for a hearsay purpose. Fed. R. Evid. 801-807. Petitioner further objects to Ex. 2081 because it is not sufficiently relevant, and any relevance is outweighed by risk of

confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. Fed. R. Evid. 401-403. Petitioner also objects under Fed. R. Evid. 401-403 on the basis that Ex. 2081 appears to lack any date or timeframe. Petitioner also objects to Ex. 2081 as incomplete under FRE 106. Petitioner also objects to the exhibit as lacking authentication. Fed. R. Evid. 901.

**9. Ex. 2082 – IEEE Xplore Metrics (Radulescu)**

Petitioner objects to Ex. 2082 to the extent Patent Owner is relying on it for a hearsay purpose. Fed. R. Evid. 801-807. Petitioner further objects to Ex. 2082 because it is not sufficiently relevant, and any relevance is outweighed by risk of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. Fed. R. Evid. 401-403, including that, for example, Ex. 2082 does not appear to be cited in Patent Owner's Response. Petitioner also objects to Ex. 2082 as incomplete under FRE 106. Petitioner also objects to the exhibit as lacking authentication. Fed. R. Evid. 901.

**10. Ex. 2083 – IEEE Xplore Metrics (Goossens2002)**

Petitioner objects to Ex. 2083 to the extent Patent Owner is relying on it for a hearsay purpose. Fed. R. Evid. 801-807. Petitioner further objects to Ex. 2083 because it is not sufficiently relevant, and any relevance is outweighed by risk of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. Fed. R. Evid. 401-403. Petitioner also objects to Ex. 2083 as incomplete under

FRE 106. Petitioner also objects to the exhibit as lacking authentication. Fed. R. Evid. 901.

**11. Ex. 2084 – *Markman* Hearing Transcript, *Network System Technologies, LLC v. Samsung Electronics Co.***

Petitioner objects to Ex. 2084 to the extent Patent Owner is relying on it for a hearsay purpose. Fed. R. Evid. 801-807. Petitioner further objects to Ex. 2084 because it is not sufficiently relevant, and any relevance is outweighed by risk of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. Fed. R. Evid. 401-403.

Respectfully submitted,

Dated: November 26, 2024

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## **CERTIFICATION OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e) and the agreement of the parties, the undersigned certifies that on November 26, 2024, a true and correct copy of the foregoing Petitioner Qualcomm Incorporated's Objections to Evidence Under 37 C.F.R. § 42.64(b)(1) was served via electronic mail upon the following:

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