

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PANASONIC AUTOMOTIVE SYSTEMS CO., LTD.,

Petitioner

v.

UNM RAINFOREST INNOVATIONS,

Patent Owner

IPR2024-00364

Patent No. 8,265,096 B2

PATENT OWNER'S OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b), Patent Owner UNM Rainforest Innovations asserts the following objections to the evidence proffered by Petitioner in its Corrected Ex. 1002. The Federal Rules of Evidence (FRE) apply to these proceedings according to the provisions of 37 C.F.R. § 42.62(a), and these rules form the basis of the objections contained herein.

Patent Owner objects to Corrected EX1002 filed Jan 18, 2024. The alleged “typographical correction” (*see* Attachment A, Johnson email of Jan. 18, 2024) is a substantial material change, as it literally changes the meaning of the relevant assertion to the opposite assertion. Instead of arguing that “the pilot symbols in the legacy transmission (the claimed first communication system) **are denser than** the pilot symbols in the high throughput transmission” (EX1002 ¶195), the change results in the opposing claim that “the pilot symbols in the legacy transmission (the claimed first communication system) **are less dense than** the pilot symbols in the high throughput transmission” (Corrected EX1002 ¶195). This substantive modification presents a material change from the argument presented in the original EX1002, and as such, Corrected EX1002 should be stricken from the record.

Date: January 31, 2024

Respectfully submitted,

/Jay P. Kesan /

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UNM Rainforest Innovations*

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§42.6(3)(1), 42.6(e)(4), and 42.25(b), the undersigned certifies that a complete copy of *Patent Owner's Objections to Evidence* was filed electronically through the Patent Trial and Appeal Board's PTAB E2E System and provided, via electronic service, to the Petitioner by serving the correspondence address of record as follows:

Christopher J. Higgins (0CHPTABDocket@orrick.com)

T. Vann Pearce, Jr. (TVPPTABDocket@orrick.com)

Dated: January 31, 2024

/Jay P. Kesan /

Jay P. Kesan

Reg. No. 37,488

ATTACHMENT A

From: jay.jaykesan.com
To: [Rhonda Polvado](#); [Henning Schmidt](#); [She Jia](#); [Cecil Key](#); [John Harrop](#)
Subject: FW: SERVICE: Panasonic Automotive Systems Co., Ltd. v. UNM Rainforest Innovations; IPR2024-00364; Corrected Ex. 1002
Date: Tuesday, January 30, 2024 4:02:28 PM
Attachments: [image002.png](#)
[Ex. 1002 Hansen Declaration \(Corrected\).pdf](#)

From: Johnson, Karen L. <kjohnson@orrick.com>
Sent: Thursday, January 18, 2024 7:31 PM
To: mshore@shorefirm.com; coffor@shorefirm.com; Ainsworth, Charles <charley@pbatyler.com>; Bunt, Robert <rbunt@pbatyler.com>; jay.jaykesan.com <jay@jaykesan.com>
Cc: OCHPTABDocket <OCHPTABDocket@orrick.com>; TVPPTABDocket <TVPPTABDocket@orrick.com>; Liu, Jonathan <jonathanliu@orrick.com>; Routh, Steven J. <srouth@orrick.com>; Nakamoto, Anri <anakamoto@orrick.com>
Subject: SERVICE: Panasonic Automotive Systems Co., Ltd. v. UNM Rainforest Innovations; IPR2024-00364; Corrected Ex. 1002

Counsel: Served is corrected Exhibit 1002, filed today via P-TACTS. This corrected Exhibit 1002 fixes two typographical errors at paragraphs 195 and 196. No other changes were made.

Regards,

Karen

Karen L. Johnson

Executive Legal Assistant to Robert J. Benson, Khai LeQuang,
Aaron Rubin and Richard Krebs

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