

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION
Petitioner,

v.

PROXENSE, LLC
Patent Owner

IPR2024-00407
Patent 9,679,289 B1

PETITIONER'S OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner hereby submits the following objections to evidence filed with Patent Owner's Response of October 15, 2024.

<u>Evidence</u>	<u>Objections</u>
Exhibit 2012	Irrelevant, Misleading, Hearsay (FRE 401-403, 802) Petitioner objects to the admissibility of Exhibit 2012 as containing opinions that are irrelevant, confusing, and presenting the danger of unfair prejudice under FRE 401, 402, and 403. Petitioner also objects to the admissibility of Exhibit 2012 under FRE 802 because it includes statements that constitute inadmissible hearsay. The statements are offered for the truth of the matter asserted, and the statements are not the product of reliable principles or methods.
Exhibit 2013	Irrelevant, Misleading, Hearsay (FRE 401-403, 802) Petitioner objects to the admissibility of Exhibit 2013 as containing opinions that are irrelevant, confusing, and presenting the danger of unfair prejudice under FRE 401, 402, and 403. Petitioner also objects to the admissibility of Exhibit 2013 under FRE 802 because it includes statements that constitute inadmissible hearsay. The statements are offered for the truth of the matter asserted, and the statements are not the product of reliable principles or methods.

For at least these reasons, Petitioner objects to Exhibits 2012 and 2013.

Petitioner reserves the right to move to exclude Exhibits 2012 and 2013.

Respectfully submitted,

Dated 10-22-24

/Roberto J. Devoto/

W. Karl Renner, Reg. No. 41,265
Roberto J. Devoto, Reg. No. 55,108
Usman Khan, Reg. No. 70,439
Jonathan Driesslein, Reg. No. 82,202
Fish & Richardson P.C.
60 South Sixth Street, Suite 3200
Minneapolis, MN 55402
T: 202-783-5070
F: 877-769-7945

Attorney for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4)(i) *et seq.*, the undersigned certifies that on October 22, 2024, a complete and entire copy of this Petitioner's Objections to Evidence was provided by electronic mail to the Patent Owner by serving the correspondence e-mail address of record as follows:

David L Hecht
James Zak
Hecht Partners LLP
125 Park Avenue, 25th Floor
New York, NY 10017

Email: proxense@hechtpartners.com

/Diana Bradley/
Diana Bradley
Fish & Richardson P.C.
60 South Sixth Street, Suite 3200
Minneapolis, MN 55402
Tel: 858-678-5667