UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COMCAST CABLE COMMUNICATIONS, LLC,
Petitioner,

v.

ENTROPIC COMMUNICATIONS, LLC,
Patent Owner.

CASE: IPR2024-00430
U.S. PATENT NO. 8,284,690

PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE FILED WITH REPLY

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner hereby submits the following objections to the evidence Petitioner filed with its Reply to Patent Owner's Response, dated February 28, 2025 (Paper 15). Patent Owner's objections apply equally to Petitioner's reliance on these Exhibits in the Reply and any subsequently filed papers in this proceeding. These objections are being filed within five business days of service of Petitioner's Reply. Patent Owner makes the following objections of the following exhibits:

Exhibit 1036, ¶¶ 12, 19, 21–22, 66	Relevance (FRE 401 & 402) Improper Expert Testimony (FRE 702)
Exhibit 1037	Relevance (FRE 401 & 402)
Exhibit 1038	Relevance (FRE 401 & 402)
Exhibit 1039	Relevance (FRE 401 & 402)
Exhibit 1040	Hearsay (FRE 801 & 802) Authenticity (FRE 901)
Exhibit 1041	Hearsay (FRE 801 & 802) Authenticity (FRE 901)
Exhibit 1042	Hearsay (FRE 801 & 802)
Exhibit 1043	Relevance (FRE 401 & 402) Hearsay (FRE 801 & 802)
Exhibit 1044	Hearsay (FRE 801 & 802)
Exhibit 1045	Relevance (FRE 401 & 402) Hearsay (FRE 801 & 802)
Exhibit 1046	Relevance (FRE 401 & 402) Hearsay (FRE 801 & 802)
Exhibit 1047	Relevance (FRE 401 & 402) Hearsay (FRE 801 & 802)
Exhibit 1048	Hearsay (FRE 801 & 802)
Exhibit 1049	Relevance (FRE 401 & 402) Hearsay (FRE 801 & 802)
Exhibit 1050	Relevance (FRE 401 & 402)
Exhibit 1051	Relevance (FRE 401 & 402)

	Hearsay (FRE 801 & 802) Authenticity (FRE 901)
Exhibit 1052	Relevance (FRE 401 & 402)
Exhibit 1053	Relevance (FRE 401 & 402)
Exhibit 1054	Hearsay (FRE 801 & 802) Authenticity (FRE 901)

Exhibit 1036 includes the following paragraphs that are inadmissible under FRE 702: ¶¶ 12, 19, 21–22, and 66. These paragraphs are not based on sufficient fact or data, are not the product of reliable principles and methods, and/or do not reflect a reliable application of the principles and methods to the facts of this proceeding. These paragraphs are also inadmissible under FRE 401 and 402 because they do not relate to a fact that is of consequence in determining the action.

Exhibits 1040–1049, 1051, and 1054 are hearsay, as they are an out of court statement being used to establish the truth of the matter asserted. There is no applicable hearsay exception that would apply to these documents, and certainly not to the specific portions relied upon by the Petition. Accordingly, Exhibits 1040–1049, 1051, and 1054 are inadmissible under FRE 801 and 802.

Exhibits 1040, 1041, 1051, and 1054 lack any foundation and, as documents that are not self-authenticating, there is no basis to conclude those exhibits are what Petitioner purports them to be. Accordingly, Exhibits 1040, 1041, 1051, and 1054 are inadmissible under FRE 901.

Exhibits 1037–1039, 1050, 1052 and 1053 are inadmissible under FRE 401

and 402 because they do not relate to a fact that is of consequence in determining the action.

Exhibits 1043, 1045–1047, 1049, and 1051 lack relevance under FRE 401 and 402 to the extent they are relied upon as purportedly characterizing what was known or understood in the prior art. The ’690 Patent has an earliest priority claim of December 15, 2008, based on provisional application No. 61/122,687, meaning that none of Exhibits 1043, 1045–1047, 1049, and 1051 are prior art.

To the extent Petitioner fails to correct the evidentiary defects associated with the above evidence in view of Patent Owner’s objections, Patent Owner reserves the right to file one or more motions to exclude the exhibits or portions thereof under 37 C.F.R.§ 42.64(c).

Respectfully submitted,

Dated: March 7, 2025

/Jason A. Engel/

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Counsel for Patent Owner

CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2025, a true and correct copy of the foregoing was caused to be served electronically on the following counsel of record for Petitioner at the following email addresses:

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