

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: IPR2024-00442
U.S. PATENT NO. 9,825,826

**PATENT OWNER'S OBJECTIONS TO
PETITIONER'S EVIDENCE FILED WITH PETITION**

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner hereby submits the following objections to the evidence Petitioner filed with its Petition dated February 15, 2024. (Paper 2). Patent Owner's objections apply equally to Petitioner's reliance on these Exhibits in the Petition and any subsequently filed papers in this proceeding. These objections are being filed within ten business days of institution.

Patent Owner makes the following objections of the following exhibits:

Exhibit 1002, ¶¶ 56-57, 96, 163, 244, 250, 264	Improper Expert Testimony (FRE 702)
Exhibit 1015	Hearsay (FRE 801 & 802)
Exhibit 1023	Relevance (FRE 401 & 402) Foundation (FRE 602) Hearsay (FRE 801 & 802) Authenticity (FRE 901)
Exhibit 1024	Hearsay (FRE 801 & 802)
Exhibit 1026	Relevance (FRE 401 & 402) Foundation (FRE 602) Hearsay (FRE 801 & 802) Authenticity (FRE 901)
Exhibit 1027	Hearsay (FRE 801 & 802)
Exhibit 1028	Hearsay (FRE 801 & 802)
Exhibit 1029	Hearsay (FRE 801 & 802)

Exhibit 1002 includes the following paragraphs that are inadmissible under FRE 702: ¶¶ 56-57, 96, 163, 244, 250, 264. 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.

Exhibits 1015, 1023-24, 1026-1029 are hearsay, as they are out of court

statements being used to establish the truth of the matter asserted. There is no applicable hearsay exception that would apply to any of these documents, and certainly not to the specific portions relied upon by the Petition.

Exhibits 1023 and 1026 additionally lack any foundation and, as a document that is not self-authenticating, there is no basis to conclude Exhibits 1023 and 1026 are what Petitioner purports them to be. Accordingly, Exhibits 1023 and 1026 are inadmissible under FRE 401 and 402 because they do not relate to a fact that is of consequence in determining the action.

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: September 4, 2024

/ Jason A. Engel/
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CERTIFICATE OF SERVICE

I hereby certify that on September 4, 2024, 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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