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 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 March 7, 2025. (Paper No. 18). Patent Owner's objections apply equally to Petitioner's reliance on these Exhibits in Petitioner's Reply and any subsequently filed papers in this proceeding. These objections are being filed within five business days of service of the evidence.

Patent Owner makes the following objections of the following exhibits:

Exhibit 1031	Relevance (FRE 401 & 402) Foundation (FRE 602) Hearsay (FRE 801 & 802) Authenticity (FRE 901)
Exhibit 1032, ¶¶ 1-4, 6, 10-20	Relevance (FRE 401 & 402) Unfair Prejudice (FRE 403) 37 C.F.R. § 42.23(b) / Trial Practice Guide at 73

Exhibit 1031 lacks any foundation and, as a document that is not self-authenticating, there is no basis to conclude Exhibit 1031 is what Petitioner purports it to be. Accordingly, Exhibit 1031 is inadmissible under FRE 602 and 901. Exhibit 1031 is also inadmissible under FRE 401 and 402 because it does not relate to a fact that is of consequence in determining the action. Exhibit 1031 is also inadmissible under FRE 401 and 402 as it is not cited in Petitioner's Reply and is therefore irrelevant to this proceeding.

Exhibit 1031 is hearsay, as it contains out of court statements being used to establish the truth of the matter asserted. There is no applicable hearsay exception

that would apply to this document.

Paragraphs 1-4, 11-17, and 19-20 of Exhibit 1032 are not cited in Petitioner's Reply and are therefore irrelevant to this proceeding. Accordingly, these paragraphs of Exhibit 1032 are inadmissible under FRE 401 and 402 because they do not relate to a fact that is of consequence in determining the action.

Paragraphs 6, 10-11, and 18-19 of Exhibit 1032 are also inadmissible under FRE 401 and 402 because they relate to theories and opinions outside the scope of the Petition and Mr. Lett's original declaration and are thus inappropriate under the Board's rules. *See* Patent Trial and Appeal Board Consolidated Trial Practice Guide (Nov. 2019), 73; *see also* 37 C.F.R. § 42.23(b). For the same reasons, any probative value in those paragraphs is substantially outweighed by the danger of unfair prejudice to Patent Owner, confusing the issues, and wasting time. Those paragraphs are thus also inadmissible under FRE 403.

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).

Dated: March 14, 2025

Respectfully submitted,

/Jason A. Engel/
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CERTIFICATE OF SERVICE

I hereby certify that on March 14, 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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