

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VISA, INC.,
Petitioner,

v.
CORTEX MCP, INC.,
Patent Owner.

Case No. IPR2024-00486
Patent No. 9,251,531

PETITIONER'S OBJECTIONS TO EVIDENCE

I. INTRODUCTION

Pursuant to 37 C.F.R. §42.64(b)(1), VISA, Inc. (“Petitioner”) submits the following objections to both Cortex MCP, Inc.’s (“Patent Owner”) exhibits 2001-2008 filed in IPR2024-00486 and the identical exhibits 2001-2008 filed in the consolidated IPR2024-00487. Any reference to exhibits 2001-2008 below applies to exhibits 2001-2008 of IPR2024-00486 and exhibits 2001-2008 of IPR2024-00487.

Petitioner’s objections are made pursuant to the Code of Federal Regulations (“C.F.R.”) governing this proceeding, including without limitation 37 C.F.R. §§42.61-42.65 and §42.6(a)(3). As required by 37 C.F.R. §42.62, Petitioner’s objections below apply the Federal Rules of Evidence (“F.R.E.”).

II. OBJECTIONS

1. Exhibits 2001-2008

Grounds for Objection: F.R.E. 401 (Test for Relevant Evidence); F.R.E. 402 (General Admissibility of Relevant Evidence); F.R.E. 403 (Excluding Relevant Evidence for Prejudice, Confusion, Waste of Time, or Other Reasons).

Exhibits 2001-2008 are not relevant to the current proceedings, and their probative value is minimal and is substantially outweighed by the risk of confusing the issues, wasting time, and needlessly presenting cumulative evidence. Exhibits 2001-2008 are not relevant at least insofar as none of them have been cited in any

briefing beyond the preliminary response. Moreover, to the extent any of exhibits 2001-2008 are deemed relevant, their admission would be unduly prejudicial, misleading, and a waste of time.

III. CONCLUSION

The aforementioned exhibits were submitted with Patent Owner's preliminary response. These objections are made within 10 business days of institution pursuant to 37 C.F.R. §42.64.

Respectfully submitted,

Dated: August 16, 2024

/Matthew A. Argenti/
Matthew A. Argenti, Lead Counsel
Reg. No. 61,836

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Petitioner's Objections to Evidence was served on August 16, 2024, at the following electronic service addresses:

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Respectfully submitted,

Dated: August 16, 2024

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