

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JUNIPER NETWORKS, INC.,
Petitioner,

v.

MONARCH NETWORKING SOLUTIONS LLC,
Patent Owner.

Case IPR2024-00561
Patent 8,130,775

**PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE
PURSUANT TO 37 C.F.R. § 42.64(B)(1)**

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Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I. Introduction

Under the Federal Rules of Evidence and 37 C.F.R. § 42.64, Monarch Networking Solutions LLC (“Patent Owner”) timely objects to evidence submitted by Juniper Networks, Inc. (“Petitioner”) in this proceeding. Patent Owner may move to exclude the challenged exhibits under 37 C.F.R. § 42.64(c) unless Petitioner provides evidence curing the objections identified by Patent Owner below.

II. Specific Objections

A. Exhibits 1003-1007, 1040 – Declarations and *Curriculum Vitae* of Dr. Samrat Bhattacharjee, Sylvia Hall-Ellis, and Alexa Morris

Patent Owner objects to Exhibits 1003-1007 and 1040 under Federal Rules of Evidence (“FRE”) 701-705 and 802 because Dr. Samrat Bhattacharjee, Dr. Sylvia Hall-Ellis, and Alexa Morris have not been made available for deposition, and Patent Owner reserves the right to raise any additional objections that become apparent from their depositions at that time if they are made available for deposition. Patent Owner further objects to Exhibit 1003 under FRE 402 and 403 as irrelevant and unduly prejudicial because neither Petitioner nor its declarants have relied on this document.

B. Exhibit 1035 – First Purported Translation of Kamite

Patent Owner objects to Exhibit 1035 as failing to comply with 37 CFR § 42.63(b) because it is not accompanied by an appropriate affidavit attesting to the accuracy of the translation. Patent Owner further objects to Exhibit 1035 under FRE

402 and 403 as irrelevant and unduly prejudicial because neither Petitioner nor its declarants have relied on this document. Patent Owner further objects to Exhibit 1035 under FRE 901 because Petitioner has not produced evidence “sufficient to support a finding that the item is what the proponent claims it is.” FRE 901(a). Patent Owner also objects to Exhibit 1035 under FRE 802 as containing hearsay that does not fall within any applicable exceptions.

C. Exhibit 1041 – Second Purported Translation of Kamite

Patent Owner objects to Exhibit 1041 under FRE 701-705 and 802 because the person who purportedly translated this document, Herman Kahn, has not been made available for deposition, and Patent Owner reserves the right to raise any additional objections that become apparent from his depositions at that time if he is made available for deposition. Patent Owner further objects to Exhibit 1041 under FRE 901 because Petitioner has not produced evidence “sufficient to support a finding that the item is what the proponent claims it is.” FRE 901(a). Patent Owner also objects to Exhibit 1041 under FRE 802 as containing hearsay that does not fall within any applicable exceptions.

D. Exhibits 1009-1034, 1036-1039

Patent Owner objects to Exhibits 1009-1034, 1036-1039 under FRE 901 because Petitioner has not produced evidence “sufficient to support a finding that the item is what the proponent claims it is.” FRE 901(a). Patent Owner also objects

to Exhibits 1009-1034, 1036-1039 under FRE 802 as containing hearsay that does not fall within any applicable exceptions.

Dated: August 27, 2024

Respectfully submitted,

By: /R. Allan Bullwinkel/
R. Allan Bullwinkel (Reg. No. 77,630)
Attorney for Patent Owner
Monarch Networking Solutions, LLC

CERTIFICATE OF SERVICE

The undersigned certifies that pursuant to 37 C.F.R. § 42.6(e), a copy of the foregoing was served via email to lead and backup counsel of record for Petitioners as follows:

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Dated: August 27, 2024

Respectfully submitted,

By: /R. Allan Bullwinkel/

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