

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS AMERICA, INC., and
SAMSUNG ELECTRONICS CO., LTD.,
Petitioners,

v.

COBBLESTONE WIRELESS, LLC,
Patent Owner.

Case IPR2024-00606
Patent 7,924,802

PATENT OWNER'S OBJECTIONS PURSUANT TO 37 C.F.R. § 42.64(b)(1)

Pursuant to 37 C.F.R. § 42.64(b)(1) and the Federal Rules of Evidence (“FRE”), Patent Owner Cobblestone Wireless, LLC hereby objects to the following documents submitted by Petitioners Samsung Electronics America, Inc. and Samsung Electronics Co., Ltd.

Nothing in this paper should be construed as an admission that any rights of Patent Owner would have been waived or forfeited had the paper or any objection herein not been filed, or that 37 C.F.R. § 42.64(b) applies to any of the objections herein if § 42.64(b) would not otherwise apply. The objections herein are premised upon § 42.64 potentially being determined to apply to the document in question, and are submitted solely to preserve the rights of Patent Owner should § 42.64(b) be determined to apply.

1. EXHIBIT 1002

Under FRE 106/1001, 35 U.S.C. § 312(a)(3) & (5), and 37 C.F.R. § 42.51(b)(1), this document is incomplete and is not a copy which accurately reproduces the original.

2. EXHIBIT 1003

Under FRE 401/402/403/702, this document includes testimony not relevant to the instituted review, because, among other things, it has not been shown that the purportedly expert declarant is qualified to testify competently regarding the matters the opinions are said to address, or that the declarant’s testimony is based

on sufficient facts or data or arrived at by reliable principles, procedures, or methods reliably applied to the facts of this case, or that the declarant's opinion will assist the trier of fact to understand the evidence or to determine any fact in issue and does not have a greater potential to mislead than to enlighten. Under FRE 602/701/801/802 and 37 C.F.R. § 42.61, this document includes testimony that is not shown to be based on first-hand knowledge including of how relied-upon data was generated, is based on speculation, and constitutes and contains inadmissible hearsay. Under FRE 401/705 and 37 C.F.R. § 42.65, this document includes testimony on patent law and practice.

3. EXHIBITS 1007, 1010, 1011, 1012, 1017, 1018, 1019, 1024, 1027

Under FRE 401/402/403, these documents are inadmissible as irrelevant because, among other things, they do not form a basis of the instituted grounds, and their probative value is outweighed by other considerations including prejudice, confusion and waste of time. Under FRE 602/701/801/802 and 37 C.F.R. § 42.61, these documents constitute and contains inadmissible hearsay to the extent Petitioner relies on them for the truth of statements made therein.

4. EXHIBIT 1013

Under FRE 401/402/403, this document is inadmissible as irrelevant because, among other things, it does not form a basis of the instituted grounds, and

its probative value is outweighed by other considerations including prejudice, confusion and waste of time.

5. EXHIBITS 1015, 1016, 1020, 1023, 1025, 1026,

Under FRE 401/402/403, these documents are inadmissible as irrelevant because, among other things, they do not form a basis of the instituted grounds, and their probative value is outweighed by other considerations including prejudice, confusion and waste of time. The documents are relied upon as evidence of prior art or of common knowledge or understanding of persons in the art at the priority date at issue, but are inadmissible because they have not been shown to qualify as prior art under, *inter alia*, 35 U.S.C. § 311(b), and there is a lack of supporting documentation to demonstrate common knowledge or understanding as of the priority date. Under FRE 901, these documents are inadmissible because they have not been shown to be authenticated or identified. Under FRE 602/701/801/802 and 37 C.F.R. § 42.61, these documents constitute and contain inadmissible hearsay to the extent Petitioner relies on them for the truth of statements made therein.

Respectfully submitted,

 / Parham Hendifar /

Kenneth J. Weatherwax, Reg. No. 54,528
Nathan Lowenstein, *pro hac vice* motion to
be filed
Parham Hendifar, Reg. No. 71,470
LOWENSTEIN & WEATHERWAX LLP

Date: September 23, 2024

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the following documents were served by electronic service, by consent between the parties (Pet. at 103), on the date signed below:

PATENT OWNER'S OBJECTIONS PURSUANT TO 37 C.F.R. § 42.64(b)(1)

The names and address of the parties being served are as follows:

jimglass@quinnemanuel.com (James M. Glass)
quincylu@quinnemanuel.com (Quincy Lu)

Respectfully submitted,

/ Keith Moore /

Date: September 24, 2024