

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APTIV SERVICES US, LLC,
Petitioner,

v.

MICROCHIP TECHNOLOGY INC.,
Patent Owner.

Patent No. 9,471,074

Inter Partes Review No. IPR2024-00646

**PETITIONER'S OBJECTIONS TO EVIDENCE
SUBMITTED WITH PATENT OWNER'S RESPONSE**

Petitioner Aptiv Services US, LLC (“Petitioner” or “Aptiv”) hereby objects to the following evidence submitted by Patent Owner Microchip Technology Inc. (“Patent Owner” or “Microchip”) with the Patent Owner’s Response (Paper 19) in the above-captioned proceeding. In accordance with 37 C.F.R. § 42.64(b)(1), these objections are being timely filed and served within five (5) business days of service of the Patent Owner’s Response, which was served on January 8, 2025.

A. Exhibit 2010 (Institution Decision, IPR2024-00803)

Aptiv objects to Exhibit 2010 as not being relevant to any issue in this IPR. This exhibit is a decision from an IPR proceeding for a patent that is not related to the ’074 patent. It is thus irrelevant and/or unduly prejudicial. (See FRE 401–403.)

Aptiv further objects to the portions of Exhibit 2010 not discussed or cited in the Patent Owner’s Response as not being relevant to any issue on which trial has been instituted. If the objected to material was not discussed or cited in the Patent Owner’s Response, Aptiv has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is not relevant and its consideration would be unfairly prejudicial to Aptiv. In particular, Patent Owner’s Response only cites or discusses limited portions of page 28 of Exhibit 2010. Accordingly, all other pages, sections, and figures of Exhibit 2010 which are not cited or discussed in the Patent Owner’s Response are objected to as not being relevant to any issue in this IPR.

B. Exhibit 2011 (Texas Instruments LM2990 Datasheet)

Aptiv objects to Exhibit 2011 as lacking foundation and authentication under FRE 901. Aptiv also objects to Exhibit 2011 as containing hearsay to the extent that Patent Owner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Patent Owner fails to offer sufficient evidence that Exhibit 2011 was publicly accessible in its presented form as of the alleged publication date. Patent Owner fails to offer sufficient evidence that Exhibit 2011 is what Patent Owner claims it to be.

Aptiv further objects to Exhibit 2011 to the extent that it is not relevant to any issue in the present proceeding and/or unduly prejudicial. (*See* FRE 401–403.)

Aptiv further objects to the portions of Exhibit 2011 not discussed or cited in the Patent Owner’s Response as not being relevant to any issue on which trial has been instituted. If the objected to material was not discussed or cited in the Patent Owner’s Response, Aptiv has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is not relevant and its consideration would be unfairly prejudicial to Aptiv. In particular, Patent Owner’s Response only cites or discusses limited portions of pages 1, 3, 5, and Fig. 8 of Exhibit 2011. Accordingly, all other pages, sections, and figures of Exhibit 2011 which are not cited or discussed in the Patent Owner’s Response are objected to as not being relevant to any issue in this IPR.

C. Exhibit 2012 (ST Micro L78MxxAB/C Datasheet)

Aptiv objects to Exhibit 2012 as lacking foundation and authentication under FRE 901. Aptiv also objects to Exhibit 2012 as containing hearsay to the extent that Patent Owner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Patent Owner fails to offer sufficient evidence that Exhibit 2012 was publicly accessible in its presented form as of the alleged publication date. Patent Owner fails to offer sufficient evidence that Exhibit 2012 is what Patent Owner claims it to be.

Aptiv further objects to Exhibit 2012 to the extent that it is not relevant to any issue in the present proceeding and/or unduly prejudicial. (*See* FRE 401–403.)

Aptiv further objects to the portions of Exhibit 2012 not discussed or cited in the Patent Owner’s Response as not being relevant to any issue on which trial has been instituted. If the objected to material was not discussed or cited in the Patent Owner’s Response, Aptiv has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is not relevant and its consideration would be unfairly prejudicial to Aptiv. In particular, Patent Owner’s Response only cites or discusses limited portions of page 7 of Exhibit 2012. Accordingly, all other pages, sections, and figures of Exhibit 2012 which are not cited or discussed in the Patent Owner’s Response are objected to as not being relevant to any issue in this IPR.

D. Exhibit 2014 (Rincon-Mora Biasing Circuit)

Aptiv objects to Exhibit 2014 to the extent Patent Owner seeks to rely on it as anything other than an annotation to an excerpted figure from Exhibit 1013 created by Patent Owner's attorney during the December 4, 2024 deposition of Dr. Michael Chen. Such reliance would not be relevant to any issue in the present proceeding and/or unduly prejudicial. (*See* FRE 401–403.)

E. Exhibit 2015 (Al-Shyoukh Biasing Circuit)

Aptiv objects to Exhibit 2015 to the extent Patent Owner seeks to rely on it as anything other than an annotation to an excerpted figure from Exhibit 1004 created by Patent Owner's attorney during the December 4, 2024 deposition of Dr. Michael Chen. Such reliance would not be relevant to any issue in the present proceeding and/or unduly prejudicial. (*See* FRE 401–403.)

F. Exhibit 2016 (Texas Instruments LM1117/LM1117I Datasheet)

Aptiv objects to Exhibit 2016 as lacking foundation and authentication under FRE 901. Aptiv also objects to Exhibit 2016 as containing hearsay to the extent that Patent Owner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Patent Owner fails to offer sufficient evidence that Exhibit 2016 was publicly accessible in its presented form as of the alleged publication date. Patent Owner fails to offer sufficient evidence that Exhibit 2016 is what Patent Owner claims it to be.

Aptiv further objects to Exhibit 2016 to the extent that it is not relevant to any issue in the present proceeding and/or unduly prejudicial. (*See* FRE 401–403.)

Aptiv further objects to the portions of Exhibit 2016 not discussed or cited in the Patent Owner’s Response as not being relevant to any issue on which trial has been instituted. If the objected to material was not discussed or cited in the Patent Owner’s Response, Aptiv has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is not relevant and its consideration would be unfairly prejudicial to Aptiv. In particular, Patent Owner’s Response only cites or discusses limited portions of page 6 of Exhibit 2016. Accordingly, all other pages, sections, and figures of Exhibit 2016 which are not cited or discussed in the Patent Owner’s Response are objected to as not being relevant to any issue in this IPR.

G. Exhibit 2017 (Laplante Dictionary Excerpts)

Aptiv objects to Exhibit 2017 as lacking foundation and authentication under FRE 901. Aptiv also objects to Exhibit 2017 as containing hearsay to the extent that Patent Owner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Patent Owner fails to offer sufficient evidence that Exhibit 2017 was publicly accessible in its presented form as of the alleged publication date. Patent Owner fails to offer sufficient evidence that Exhibit 2017 is what Patent Owner claims it to be.

Aptiv further objects to Exhibit 2017 to the extent that it is not relevant to any issue in the present proceeding and/or unduly prejudicial. (*See* FRE 401–403.)

Aptiv further objects to the portions of Exhibit 2017 not discussed or cited in the Patent Owner’s Response as not being relevant to any issue on which trial has been instituted. If the objected to material was not discussed or cited in the Patent Owner’s Response, Aptiv has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is not relevant and its consideration would be unfairly prejudicial to Aptiv. In particular, Patent Owner’s Response only cites or discusses limited portions of pages 3-7 of Exhibit 2017. Accordingly, all other pages, sections, and figures of Exhibit 2017 which are not cited or discussed in the Patent Owner’s Response are objected to as not being relevant to any issue in this IPR.

H. Exhibit 2018 (Dec. 4, 2024 Deposition Transcript of Dr. Chen)

Aptiv objects to Exhibit 2018 for each of the reasons noted in the objections made during the underlying deposition.

I. Exhibit 2019 (Microchip TC1300 Datasheet)

Aptiv objects to Exhibit 2019 as lacking foundation and authentication under FRE 901. Aptiv also objects to Exhibit 2019 as containing hearsay to the extent that Patent Owner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Patent Owner fails to offer sufficient

evidence that Exhibit 2019 was publicly accessible in its presented form as of the alleged publication date. Patent Owner fails to offer sufficient evidence that Exhibit 2019 is what Patent Owner claims it to be.

Aptiv further objects to Exhibit 2019 to the extent that it is not relevant to any issue in the present proceeding and/or unduly prejudicial. (*See* FRE 401–403.)

Aptiv further objects to the portions of Exhibit 2019 not discussed or cited in the Patent Owner’s Response as not being relevant to any issue on which trial has been instituted. If the objected to material was not discussed or cited in the Patent Owner’s Response, Aptiv has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is not relevant and its consideration would be unfairly prejudicial to Aptiv. In particular, Patent Owner’s Response only cites or discusses limited portions of pages 1-2 of Exhibit 2019. Accordingly, all other pages, sections, and figures of Exhibit 2019 which are not cited or discussed in the Patent Owner’s Response are objected to as not being relevant to any issue in this IPR.

J. Exhibit 2020 (Fairchild KA78RXXC-Series 1A Datasheet)

Aptiv objects to Exhibit 2020 as lacking foundation and authentication under FRE 901. Aptiv also objects to Exhibit 2020 as containing hearsay to the extent that Patent Owner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Patent Owner fails to offer sufficient

evidence that Exhibit 2020 was publicly accessible in its presented form as of the alleged publication date. Patent Owner fails to offer sufficient evidence that Exhibit 2020 is what Patent Owner claims it to be.

Aptiv further objects to Exhibit 2020 to the extent that it is not relevant to any issue in the present proceeding and/or unduly prejudicial. (*See* FRE 401–403.)

Aptiv further objects to the portions of Exhibit 2020 not discussed or cited in the Patent Owner’s Response as not being relevant to any issue on which trial has been instituted. If the objected to material was not discussed or cited in the Patent Owner’s Response, Aptiv has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is not relevant and its consideration would be unfairly prejudicial to Aptiv. In particular, Patent Owner’s Response only cites or discusses limited portions of page 3 of Exhibit 2020. Accordingly, all other pages, sections, and figures of Exhibit 2020 which are not cited or discussed in the Patent Owner’s Response are objected to as not being relevant to any issue in this IPR.

K. Exhibit 2021 (Declaration of Dr. Greg Taylor)

Aptiv objects to Exhibit 2021 as irrelevant, lacking foundation, assuming facts not in evidence, calling for legal conclusion, and mischaracterizing evidence. Aptiv further objects to Exhibit 2021 to the extent that it includes expert opinions for which the factual bases have not been disclosed, for which Dr. Taylor does not have

personal knowledge (*see* FRE 602), and to the extent that Dr. Taylor's opinions constitute unreliable expert testimony under FRE 702 and 703.

Aptiv further objects to the portions of Exhibit 2021 not discussed or cited in the Patent Owner's Response as not being relevant to any issue on which trial has been instituted. If the objected to material was not discussed or cited in the Patent Owner's Response, Aptiv has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is not relevant and its consideration would be unfairly prejudicial to Aptiv. In particular, the Patent Owner's Response does not cite or discuss at least paragraphs 1-29, 37-40, 45, 72-74, 82-83, 104, 112, 119, 125-126, 139-140 of Exhibit 2021. Accordingly, at least those paragraphs of Exhibit 2021 are objected to as not being relevant to any issue in this IPR.

L. Exhibit 2022 (Universal Serial Bus 3.0 Specification)

Aptiv objects to Exhibit 2022 as lacking foundation and authentication under FRE 901. Aptiv also objects to Exhibit 2022 as containing hearsay to the extent that Patent Owner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Patent Owner fails to offer sufficient evidence that Exhibit 2022 was publicly accessible in its presented form as of the alleged publication date. Patent Owner fails to offer sufficient evidence that Exhibit 2022 is what Patent Owner claims it to be.

Aptiv further objects to Exhibit 2022 to the extent that it is not relevant to any issue in the present proceeding and/or unduly prejudicial. (*See* FRE 401–403.)

Aptiv further objects to the portions of Exhibit 2022 not discussed or cited in the Patent Owner’s Response as not being relevant to any issue on which trial has been instituted. If the objected to material was not discussed or cited in the Patent Owner’s Response, Aptiv has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is not relevant and its consideration would be unfairly prejudicial to Aptiv. In particular, Patent Owner’s Response only cites or discusses (and at most indirectly by citing paragraph 64 of the Taylor Declaration (Exhibit 2021)), limited portions of Table 6-21 of Exhibit 2022. Accordingly, all other pages, sections, and figures of Exhibit 2022 which are not cited or discussed in the Patent Owner’s Response are objected to as not being relevant to any issue in this IPR.

Aptiv objects to Exhibits 2010-2012, 2014-2022 for each of the reasons noted in the objections made during the underlying deposition.

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Dated: January 15, 2025

By: /s/ Stephen Liu
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Certificate of Service (37 C.F.R. § 42.6(e)(4))

I hereby certify that the attached PETITIONER'S OBJECTIONS TO EVIDENCE SUBMITTED WITH PATENT OWNER'S RESPONSE was served as of the below date on the Patent Owner via e-mail (by agreement) to the following counsel of record:

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Dated: January 15, 2025

/s/ Stephen Liu
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