

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION,

Petitioner

v.

TELEFONAKTIEBOLAGET L M ERICSSON (publ),

Patent Owner

Case No. IPR2024-00728
Patent No. 7,151,430 B2

Before Daveina B. Williams, *Trial Paralegal*

PATENT OWNER'S OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b), and the Federal Rules of Evidence (“F.R.E.”), Patent Owner, Telefonaktiebolaget L M Ericsson (publ), (“Ericsson”) objects as follows to the admissibility of evidence submitted by Petitioner, Intel Corporation (“Intel”) during the preliminary proceeding. Ericsson objects to any effort by Intel to submit new evidence or argument in reply to these objections or otherwise that it could have presented earlier, *e.g.*, to support Intel’s case alleging unpatentability. These objections are timely filed within 10 days of the institution decision. 37 C.F.R. § 42.64(b)(1). The F.R.E. apply and form the bases of the stated objections. 37 C.F.R. § 42.62(a).

EVIDENCE	OBJECTIONS
EX1003 Declaration of Manos Tentzeris	37 C.F.R. § 42.65: The exhibit contains expert testimony that does not adequately disclose underlying facts or data on which the opinion is based, as discussed further below. FRE 402: The exhibit includes information that is not relevant to any ground upon which trial was instituted. FRE 403: The exhibit includes information whose probative value to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or

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	needlessly presenting cumulative evidence. FRE 702/703/704/705: The exhibit contains statements and opinions that are not admissible. The exhibit failed to adequately identify facts or data supporting the witness's opinions and conclusory testimony. See ¶¶ 82-84, 88-89, 93, 96, 101, 103, 105, 107-109, 114, 121, 123, 130, 136, 167-168, 176, 180, 182-183, 186, 189-90, 211, 219, 221-222, 224, 263, 270, 273, 279, 287, 289-290, 292-298, 300, 303, 304, 307, 308, 313-314, 316-317, 328, 331-333, 342-346, each of which contains impermissible legal conclusions. <i>See e.g., Mendenhall v. Cedarapids, Inc.</i>, 5 F.3d 1557, 1574 & n.17 (Fed. Cir. 1993) (quoting <i>Nutrition 21 v. United States</i>, 930 F.2d 867, 871 n.2 (Fed. Cir. 1991) (expert's opinion on the ultimate legal issue is neither required nor evidence at all)) The exhibit is not the product of reliable principles and methods and fails to reliably apply the principles and methods of the facts of the case. The exhibit contains opinions for which the factual bases have not been adequately disclosed, including numerous broad and/or conclusory statements made without sufficient analysis, citation to evidence, or explanation. The exhibit failed to reliably apply the correct legal

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	standard to the facts of the case. The witness failed to construe limitations in the challenged claims, failed to address recited limitations therein in his analysis related to alleged obviousness, failed to adequately explain the differences between the claims and the prior art. The exhibit appears to contain statements that are not the witness's opinions, as portions of the declaration are substantially the same as the Petition itself. F.R.E. 802: Statements included in the exhibit from other sources are inadmissible hearsay.
EX1012 "RFID Handbook: Fundamentals and Applications in Contactless Smart Cards and Identification" to Finkenzeller (Wiley, Second Edition)	Relevance. F.R.E. 401-403. This exhibit is not relevant to any issue, and any probative value of the exhibit is substantially outweighed by unfair prejudice, confusing the issues. The authenticity and dates of the exhibits have not been established. It has not been established that this exhibit has any relevance to the interpretation of any terms in the Challenged Claims as of the time of the invention or the validity of any the Challenged Claim.
EX1013 "Principles of Physics," to Serway, 2nd Edition	Relevance. F.R.E. 401-403. This exhibit is not relevant to any issue, and any probative value of the exhibit is substantially outweighed by unfair prejudice, confusing the issues. The authenticity and dates of the exhibits have not been established. It has not been established that this exhibit has any relevance to the interpretation of any

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	terms in the Challenged Claims as of the time of the invention or the validity of any the Challenged Claim.
EX1014 “Fundamentals of Applied Electromagnetics” to Ulaby	Relevance. F.R.E. 401-403. This exhibit is not relevant to any issue, and any probative value of the exhibit is substantially outweighed by unfair prejudice, confusing the issues. The authenticity and dates of the exhibits have not been established. It has not been established that this exhibit has any relevance to the interpretation of any terms in the Challenged Claims as of the time of the invention or the validity of any the Challenged Claim.
EX1030 “A Comprehensive Explanation On the High Quality Characteristics of Symmetrical Octagonal Spiral Inductor” to Ooi, et al	Relevance. F.R.E. 401-403. This exhibit is not relevant to any issue, and any probative value of the exhibit is substantially outweighed by unfair prejudice, confusing the issues. The authenticity and dates of the exhibits have not been established. It has not been established that this exhibit has any relevance to the interpretation of any terms in the Challenged Claims as of the time of the invention or the validity of any the Challenged Claim.
EX1031 “Design and Analysis of Symmetric Dual-Layer Spiral Inductors for RF Integrated Circuits” to Lee, et al (“Lee”)	Relevance. F.R.E. 401-403. This exhibit is not relevant to any issue, and any probative value of the exhibit is substantially outweighed by unfair prejudice, confusing the issues. The authenticity and dates of the exhibits have not been established. It has not been established that this exhibit has any relevance to the interpretation of any

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EX1032 “A Q-Factor Enhancement Technique for MMIC Inductors” to Danesh, et al (“Danesh)	Relevance. F.R.E. 401-403. This exhibit is not relevant to any issue, and any probative value of the exhibit is substantially outweighed by unfair prejudice, confusing the issues. The authenticity and dates of the exhibits have not been established. It has not been established that this exhibit has any relevance to the interpretation of any terms in the Challenged Claims as of the time of the invention or the validity of any the Challenged Claim.
EX1036 “A Single-Chip 900-MHz Spread-Spectrum Wireless Transceiver in 1-up CMOS – Part 1: Architecture and Transmitter Design” by Ahmadreza Rofougaran et al. , IEEE Journal of Solid-State Circuits, Vol. 33, No. 4 (April 1998)	Relevance. F.R.E. 401-403. This exhibit is not relevant to any issue, and any probative value of the exhibit is substantially outweighed by unfair prejudice, confusing the issues. The authenticity and dates of the exhibits have not been established. It has not been established that this exhibit has any relevance to the interpretation of any terms in the Challenged Claims as of the time of the invention or the validity of any the Challenged Claim.
EX1037 “A Single-Chip CMOS Transceiver for DCS-1800 Wireless Communication” by Michiel Steyaert, et al. ISSCC98, Session 3, Transceiver and Power Amplifiers (1998)	Relevance. F.R.E. 401-403. This exhibit is not relevant to any issue, and any probative value of the exhibit is substantially outweighed by unfair prejudice, confusing the issues. The authenticity and dates of the exhibits have not been established. It has not been established that this exhibit has any relevance to the interpretation of any

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EX1038 “A 1.8-GHz Low-Phase-Noise CMOS VCO Using Optimized Hollow Spiral Inductors” by Craninckx, et al. (“Craninckx”)	Relevance. F.R.E. 401-403. This exhibit is not relevant to any issue, and any probative value of the exhibit is substantially outweighed by unfair prejudice, confusing the issues. The authenticity and dates of the exhibits have not been established. It has not been established that this exhibit has any relevance to the interpretation of any terms in the Challenged Claims as of the time of the invention or the validity of any the Challenged Claim.
EX1039 “Low-Phase-Noise LC Quadrature VCO Using Coupled Tank Resonators in a Ring Structure” by ElSayed, et al. (“ElSayed”)	Relevance. F.R.E. 401-403. This exhibit is not relevant to any issue, and any probative value of the exhibit is substantially outweighed by unfair prejudice, confusing the issues. The authenticity and dates of the exhibits have not been established. It has not been established that this exhibit has any relevance to the interpretation of any terms in the Challenged Claims as of the time of the invention or the validity of any the Challenged Claim.
EX1040 “A CMOS Frequency Synthesizer with an Injection-Locked Frequency Divider for a 5-GHz Wireless LAN Receiver” to Rategh, et al. (“Rategh”)	Relevance. F.R.E. 401-403. This exhibit is not relevant to any issue, and any probative value of the exhibit is substantially outweighed by unfair prejudice, confusing the issues. The authenticity and dates of the exhibits have not been established. It has not been established that this exhibit has any relevance to the interpretation of any

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EX1042“Class Definition for Class 343 Communications: Radio Wave Antennas,” U.S. Patent & Trademark Office (2001),	Relevance. F.R.E. 401-403. This exhibit is not relevant to any issue, and any probative value of the exhibit is substantially outweighed by unfair prejudice, confusing the issues. The authenticity and dates of the exhibits have not been established. It has not been established that this exhibit has any relevance to the interpretation of any terms in the Challenged Claims as of the time of the invention or the validity of any the Challenged Claim.

Date: October 18, 2024

Respectfully submitted,

/Alastair J. Warr/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 18, 2024 a copy of the foregoing Patent Owner Objections to Evidence was served via email on the following attorneys for the Petitioner:

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