

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION,
Petitioner

v.

Telefonaktiebolaget L M Ericsson
Patent Owner.

IPR2024-00728

U.S. Patent 7,151,430

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

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Intel Corporation (“Petitioner”) objects to the admissibility of the following evidence submitted by Patent Owner, Telefonaktiebolaget L M Ericsson (“Patent Owner”). These objections are made within ten (10) business days of the October 9, 2024 Institution Decision (Paper 10).

Exhibit 2002

Petitioner objects to Exhibit 2002 as improper expert testimony under FRE 702, 703, and 704 and 37 C.F.R. § 42.65. This exhibit contains statements and opinions that do not rely on the kind of facts or data experts in the relevant field would reasonably rely upon. The exhibit fails to provide the underlying facts or data on which the opinion is based. Petitioner further objects to this exhibit as improper lay testimony under FRE 701, to the extent it offers testimony outside of Dr. Prucnal’s area of expertise or fails to disclose the underlying facts or data on which the opinion is based. Petitioner further objects to this exhibit as containing impermissible legal conclusions. Petitioner further objects to this exhibit under FRE 401, 402, and 403 to the extent it relies on Exhibits 2003-2008 for the reasons explained below.

Exhibits 2003-2008

Petitioner objects to these exhibits under FRE 401, 402, and 403. The exhibits comprise information that is not relevant to any ground upon which trial was

instituted; any probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.

Date: October 24, 2024

Respectfully submitted,

/Lori A. Gordon/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 24, 2024, a copy of the foregoing Petitioner's Objections to Patent Owner's Evidence Pursuant to 37 C.F.R. § 42.64 was served via email on the following attorneys for the Patent Owner:

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Date: October 24, 2024

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