

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC., and
GOOGLE LLC
Petitioners,**

v.

**EYESMATCH LTD.
Patent Owner**

**IPR2024-00810
Patent 8,982,110 B2**

**PETITIONERS' OBJECTIONS UNDER 37 C.F.R. § 42.64 TO
PATENT OWNER'S EVIDENCE SUBMITTED WITH
PATENT OWNER'S RESPONSE TO PETITION FOR *INTER*
PARTES REVIEW OF U.S. PATENT NO. 8,982,110**

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Patent Trial and Appeal Board
United States Patent and Trademark Office
PO Box 1450
Alexandria, Virginia 22313-1450

Submitted Electronically via P-TACTS

Pursuant to 37 C.F.R. § 42.64(b)(1), Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Google LLC (collectively, “Petitioners”), respectfully objects under the Federal Rules of Evidence (“FRE”) to the admissibility of the following evidence submitted by Patent Owner with its Patent Owner’s Response on March 6, 2025. Petitioners file and serve Patent Owner with these objections to provide notice that Petitioners may move to exclude the following under C.F.R. § 42.64(c). These objections are made on March 13, 2024, within the time period required under 37 C.F.R. § 42.64(b)(1).

I. Exhibits 2008-2011

Petitioners object to this Exhibits 2008-2011 under FRE 401, 402, and 403 for including information that is irrelevant to any fact in issue in the instant Petition or 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 needlessly presenting cumulative evidence. Further, these exhibits do not relate to the instant Petition and are substantially prejudicial relative to any marginal probative value. Nor would these exhibits help the trier of fact understand the evidence.

II. Exhibit 2012

In regard to Exhibit 2012, Petitioner preserves any objections made on the record.

III. Exhibit 2013

Petitioner objects to Exhibit 2013, including, for example, Ex. 2013 ¶¶ 58-65, 69, 74-169 as improper expert testimony under FRE 702 and 703, and 37 C.F.R. § 42.65, to the extent that each does not rely on the kind of facts or data experts in the relevant field would reasonably rely upon without providing the underlying facts or data on which the opinion is based, because the testimony is not the product of reliable principles or methods, and because the testimony does not reflect a reliable application of appropriate principles and methods to the facts here. Petitioner further objects to these exhibits as improper lay testimony under FRE 701, to the extent each offers testimony outside of Dr. Forsyth's area of expertise or fails to disclose the underlying facts or data on which the opinion is based.

Date: March 13, 2025

/ Eliot D. Williams /

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on March 13, 2025, a complete and entire copy of these objections was provided via email to the Patent Owner by serving the correspondence email addresses of record as follows:

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