IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

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

Petitioners,

v.

EYESMATCH LTD.,

Patent Owner.

---

Case No. IPR2024-00856
U.S. Patent No. 8,982,109

---

**PETITIONERS' OBJECTIONS UNDER 37 C.F.R. § 42.64 TO PATENT OWNER'S EVIDENCE SUBMITTED WITH PATENT OWNER'S PRELIMINARY RESPONSE TO PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,982,109**

---

Google LLC, Samsung Electronics Co., Ltd., and Samsung Electronics America, Inc., (collectively, "Petitioners"), respectfully submit the following objections to exhibits filed by Patent Owner on September 13, 2024, as cited in its Patent Owner Preliminary Response to Petitioner's request for *Inter Partes* Review of U.S. Patent No. 8,982,109 ("the '109 Patent"). These objections are made within ten business days from Institution Decision, which was issued on December 3, 2024.

| **Objected to Exhibit** | **Basis for Objection** |
|---|---|
| **Ex. 2004** | **FRE 401-403:** This exhibit should be excluded at least because it is irrelevant to any fact in issue in the instant Petition. This exhibit makes no mention of the '110 Patent. Further, this exhibit does not relate to the instant Petition and is substantially prejudicial relative to any marginal probative value. Nor would this exhibit help the trier of fact understand the evidence.<br><br>**FRE 802:** This exhibit contains hearsay to the extent that Patent Owner attempts to use any of the statements contained therein for the truth of the matter asserted |

| Objected to Exhibit | Basis for Objection |
|---|---|
| | without regard to the underlying assumptions that form the basis for said statements. |
| **Ex. 2005** | **FRE 401-403:** This exhibit should be excluded at least because it is irrelevant to any fact in issue in the instant Petition. Further, this exhibit does not relate to the instant Petition and is substantially prejudicial relative to any marginal probative value. Nor would this exhibit help the trier of fact understand the evidence. |
| **Ex. 2006** | **FRE 401-403:** This exhibit should be excluded at least because it is irrelevant to any fact in issue in the instant Petition. Further, this exhibit does not relate to the instant Petition and is substantially prejudicial relative to any marginal probative value. Nor would this exhibit help the trier of fact understand the evidence. |
| **Ex. 2007** | **FRE 401-403:** This exhibit should be excluded at least because it is irrelevant to any fact in issue in the instant Petition. Further, this exhibit does not relate to the instant |

| Objected to Exhibit | Basis for Objection |
|---|---|
| | Petition and is substantially prejudicial relative to any marginal probative value. Nor would this exhibit help the trier of fact understand the evidence. |

Dated: December 11, 2024

Respectfully submitted,

/Erika H. Arner/
Erika H. Arner, Reg. No. 57,540
Lead Counsel

**CERTIFICATE OF SERVICE**

In accordance with 37 C.F.R. §§42.6(e) and 42.105, the undersigned certifies that on December 11, 2024, a copy of the foregoing was served via email directed to counsel of record for the Patent Owner at the following:

John Pierce
john.pierce@tensegritylawgroup.com

Matthew D. Powers
matthew.powers@tensegritylawgroup.com

William P. Nelson
william.nelson@tensegritylawgroup.com

Natasha M. Saputo
natasha.saputo@tensegritylawgroup.com

eyesmatch_team@tensegritylawgroup.com

Date: December 11, 2024

/Daniel E. Doku/
Daniel E. Doku
Litigation Legal Assistant

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.