

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VUSIONGROUP SA,

Petitioner,

v.

HANSHOW TECHNOLOGY CO., LTD.,

Patent Owner.

IPR2024-00857

U.S. Patent No. 11,540,216

**PETITIONER'S OBJECTIONS TO PATENT OWNER'S
EVIDENCE UNDER 37 C.F.R. § 42.64(b)(1)**

I. INTRODUCTION

Pursuant to 37 C.F.R. §42.64(b)(1), Petitioner VusionGroup SA objects to Exhibits 2010 and 2011 submitted by Patent Owner Hanshow Technology Co., Ltd. with its Patent Owner's Response (Paper 18) filed February 28, 2025. The objections are based on 37 C.F.R. Part 42 and the relevant portions of the Federal Rules of Evidence ("F.R.E.") that apply to *inter partes* review proceedings under 37 C.F.R. §42.62. The objections have been timely filed and served within five business days of the service of evidence to which the objections are directed.

II. OBJECTIONS TO EVIDENCE (EXHIBITS 2010 AND 2011)

Exhibits 2010 and 2011 purport to be English translations of JP2017-126872 (Exhibit 2010) and JP2016-140368 (Exhibit 2011).

Petitioner objects to Exhibits 2010 and 2011 because Patent Owner failed to file copies of the original Japanese language documents provided to the translator. *See* 37 C.F.R. §42.63(b) ("***Translation required.*** When a party relies on a document or is required to produce a document in a language other than English, a translation of the document into English and an affidavit attesting to the accuracy of the translation must be filed with the document.").

Petitioner further objects to Exhibits 2010 and 2011 under F.R.E. 901 and 1002 because the exhibits lack proper authentication and are not self-authenticating under F.R.E. 902.

Petitioner further objects to Exhibits 2010 and 2011 because the accompanying affidavits do not indicate the affiant has agreed to be made available for cross examination in the United States as part of routine discovery. *See* 37 C.F.R. §42.51(b)(1)(ii) (“Cross examination of affidavit testimony prepared for the proceeding is authorized within such time period as the Board may set.”); 37 C.F.R. §42.53(b)(2) (“Except as the Board otherwise orders, during the testimony period, deposition testimony may be taken at any reasonable time and location within the United States before any disinterested official authorized to administer oaths at that location.”); 37 C.F.R. §42.53(b)(3) (“Uncompelled deposition testimony outside the United States may only be taken upon agreement of the parties or as the Board specifically directs.”).

Petitioner further objects to Exhibits 2010 and 2011 under F.R.E. 401 and 402 as irrelevant and under F.R.E. 403 because their probative value is substantially outweighed by other considerations, including unfair prejudice, confusion of the issues, and waste of time. Petitioner previously filed Japanese language and certified English translations of JP2017-126872 (Exhibit 1011 (Japanese) and Exhibit 1005 (certified English translation)) and JP2016-140368 (Exhibit 1012 (Japanese) and Exhibit 1006 (certified English translation)). To the extent Exhibits 2010 and 2011 duplicate the language in Exhibits 1005 and 1006, respectively, they are inadmissible because they (1) do not make any fact of consequence in determining this action more or less

probable than it would be without them (F.R.E. 401, 402); and (2) are needlessly presented as cumulative evidence (F.R.E. 403). Otherwise, to the extent Exhibits 2010 and 2011 include inaccurate translations that are inconsistent with Exhibits 1005 and 1006, respectively, they are inadmissible because (1) they do not make any fact of consequence in determining this action more or less probable than it would be without them (F.R.E. 401, 402); and (2) their probative value is substantially outweighed by other considerations, including unfair prejudice, confusion of the issues, and waste of time (F.R.E. 403).

Respectfully submitted,

Dated: March 7, 2025

By: /Jessica Kaiser /
Jessica C. Kaiser
Reg. No. 58,937
Lead Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on March 7, 2025, a copy of
PETITIONER'S OBJECTIONS TO PATENT OWNER'S EVIDENCE
UNDER 37 C.F.R. § 42.64(b)(1) was served upon the below-listed counsel by
electronic mail:

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Dated: March 7, 2025

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