

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AYLO FREESITES LTD,

Petitioner

v.

DISH TECHNOLOGIES L.L.C.,

Patent Owner

U.S. Patent 11,991,234

Issue Date: May 21, 2024

Title: APPARATUS, SYSTEM, AND METHOD FOR MULTI-BITRATE
CONTENT STREAMING

Inter Partes Review No. IPR2024-00940

**PETITIONER'S OBJECTIONS UNDER 37 C.F.R. § 42.64 TO EVIDENCE
SUBMITTED BY PATENT OWNER WITH ITS RESPONSE**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
PO Box 1450
Alexandria, Virginia 22313-1450
Submitted Electronically via PTAB P-TACTS

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Aylo Freesites Ltd (“Petitioner”) objects to the admissibility of the following exhibits filed with Patent Owner DISH Technologies LLC’s (“Patent Owner”) Response (Paper 21) on the grounds set forth below.

All objections herein under F.R.E. 802 (hearsay) apply to the extent Patent Owner relies on the exhibits identified in connection with that objection for the truth of the matter asserted therein.

Petitioner’s objections are as follows:

Exhibit	Objection ¹
2011-2018, 2064, 2090, 2120, 2135, 2139	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 802 (hearsay), and 901 (authenticity of relied upon documents).
2020	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being qualified as an expert), 802 (hearsay), and 901 (authenticity of relied upon documents).
2073	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being qualified as an expert), 106 (incomplete), 802 (hearsay), and 901 (authenticity).
2099	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being

¹ “F.R.E.” herein refers to the Federal Rules of Evidence.

Exhibit	Objection ¹
	qualified as an expert), 802 (hearsay), and 901 (authenticity of relied upon documents).
2100	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being qualified as an expert), 802 (hearsay), and 901 (authenticity of relied upon documents).
2101	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being qualified as an expert), 802 (hearsay), and 901 (authenticity of relied upon documents).
2102	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being qualified as an expert), 802 (hearsay), and 901 (authenticity of relied upon documents).
2123	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being qualified as an expert), 802 (hearsay), and 901 (authenticity of relied upon documents).
2124	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being qualified as an expert), 802 (hearsay), and 901 (authenticity of relied upon documents).
2125	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being qualified as an expert), 611(b) (testimony of a witness not subject to cross examination), 802 (hearsay), and 901 (authenticity).
2126	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being qualified as an expert), 802 (hearsay), and 901

Exhibit	Objection ¹
	(authenticity of relied upon documents). Additionally, Petitioner objects to this declaration as not in compliance with 28 U.S.C. § 1746 (1).
2127	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being qualified as an expert), 802 (hearsay), and 901 (authenticity of relied upon documents).
2128	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being qualified as an expert), 802 (hearsay), and 901 (authenticity of relied upon documents).
2132	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being qualified as an expert), 802 (hearsay), and 901 (authenticity of relied upon documents).
2133	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being qualified as an expert), 802 (hearsay), 901 (authenticity of relied upon documents).
2135	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being qualified as an expert), 802 (hearsay), 901 (authenticity of relied upon documents).
2136	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 602 (lack of foundation), 702/703 (offering expert opinions without being qualified as an expert), 802 (hearsay), 901 (authenticity of relied upon documents).
2021-2055, 2057-2062, 2064-2070, 2074-2089, 2091-2092, 2096, 2103-	F.R.E. 401/402 (lack of relevance), 403 (prejudice, confusing, waste of time), 106 (incomplete), 602 (lack of foundation), 802 (hearsay), and 901 (authenticity).

Exhibit	Objection ¹
2105, 2107-2110, 2112-2114, 2116- 2122, 2130-2131, 2140	

DATED: March 7, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2025 I caused a true and correct copy of the foregoing objections to evidence served with Patent Owner's Response to be served via email to counsel of record:

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