UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

v.

138 EAST LCD ADVANCEMENTS LIMITED,
Patent Owner.

Case No. IPR2024-00956
U.S. Patent No. 8,355,574

PATENT OWNER'S OBJECTIONS UNDER 37 C.F.R. § 42.64 TO PETITIONER'S PRE-INSTITUTION EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner 138 East LCD Advancements Limited submits its objections to Petitioner's pre-institution evidence.

I. Exhibit 1003: Expert Declaration of Kenneth Parulski

Patent Owner has not yet cross-examined Mr. Parulski but intends to do so before DUE DATE 1. Patent Owner reserves the right to move to exclude Exhibit 1003 or portions of the declaration/testimony based on FRE 401/402 (relevance), FRE 403 (probative value outweighed by prejudice, confusing, waste of time), FRE 602 (lack of personal knowledge), and/or FRE 702/703 (insufficient support for expert testimony). Further, Patent Owner objects to Exhibit 1003 under FRE 802 (hearsay), to the extent that Patent Owner does not have the opportunity to cross-examine Mr. Parulski.

II. Exhibits 1013-1019: Uncited Materials

Patent Owner objects to Exhibits 1013-1019 based on FRE 401/402 (relevance) and/or FRE 403 (probative value outweighed by prejudice, confusing, waste of time), including because Petitioner does not cite these exhibits in its Petition.

III. Exhibits 1020-1023: Materials from Related District Court Case

Patent Owner objects to Exhibits 1020-1023 based on FRE 401/402 (relevance) and/or FRE 403 (probative value outweighed by prejudice, confusing, waste of time).

Date: January 27, 2025

Respectfully submitted,

s/ Cyrus A. Morton

Cyrus A. Morton (Reg. No. 44,954)
CMorton@RobinsKaplan.com
Lead Counsel
Samuel J. LaRoque (Reg. No. 68,542)
SLaRoque@RobinsKaplan.com
Back-Up Counsel
Robins Kaplan LLP
800 LaSalle Avenue, Suite 2800
Minneapolis, MN 55402
Direct Line: 612-349-8722
Fax: 612-339-4181

Attorneys for Patent Owner

CERTIFICATE OF SERVICE

I certify that on January 27, 2025, a copy of PATENT OWNER'S OBJECTIONS UNDER 37 C.F.R. § 42.64 TO PETITIONER'S PRE-INSTITUTION EVIDENCE was served by electronic mail on Petitioner's counsel at the following addresses indicated in Petitioner's Mandatory Notices:

Erika H. Arner
erika.arner@finnegan.com

Daniel C. Cooley
daniel.cooley@finnegan.com

Kevin D. Rodkey
kevin.rodkey@finnegan.com

Robert K. High
robert.high@finnegan.com

Alissa E. Green
alissa.green@finnegan.com

Safiya Aguilar
safiya.aguilar@finnegan.com

Grace K. Mills
gracie.mills@finnegan.com

Finnegan, Henderson, Farabow, Garrett & Dunner, LLP

Date: January 27, 2025

Respectfully submitted,

s/ Cyrus A. Morton

Cyrus A. Morton (Reg. No. 44,954)
CMorton@RobinsKaplan.com

Lead Counsel
Samuel J. LaRoque (Reg. No. 68,542)
SLaRoque@RobinsKaplan.com
Back-Up Counsel
Robins Kaplan LLP
800 LaSalle Avenue, Suite 2800
Minneapolis, MN 55402
Direct Line: 612-349-8722
Fax: 612-339-4181

Attorneys for Patent Owner