

IPR2024-00963

Patent Owner's Objections to Petitioner's Evidence

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VUSIONGROUP SA,

Petitioner

v.

HANSHOW TECHNOLOGY CO., LTD.,

Patent Owner

Case No.: IPR2024-00963

Patent No. 10,701,321

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

I. INTRODUCTION

Pursuant to 37 C.F.R. §42.64(b)(1), Patent Owner Hanshow Technology Co., Ltd. objects to Exhibits 1003, 1010-1013, 1016-1017, and 1024-1030 submitted by Petitioner VusionGroup SA with its Petition (Paper 2) filed June 3, 2024. 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 ten business days of the institution of issuance of the Institution Decision.

II. OBJECTIONS TO EVIDENCE

A. Exhibit 1003

Patent Owner objects to Exhibit 1003 to the extent that it provides opinions that are irrelevant under F.R.E. 401-402, or that its probative value is substantially outweighed by other considerations under F.R.E. 403, including unfair prejudice, confusion of the issues, and waste of time. For example, paragraphs 1-6, 20-38, 53-54, 260, 263, 268 of Exhibit 1003 are not cited in the Petition (Paper 2) and, therefore, do not appear to make any fact of consequence in determining this action more or less probable than it would be without them and are thus irrelevant and not admissible (F.R.E. 401, 402).

Patent Owner further objects under F.R.E. 702 to Exhibit 1003 as unreliable, conclusory, and unsubstantiated expert testimony due to lack of sufficient facts and

Patent Owner's Objections to Petitioner's Evidence data, lack of reliable principles and methods, failure to reliably apply the principles and methods to the facts, and lack of expert qualifications.

B. Exhibit 1010

Patent Owner objects to Exhibit 1010 under F.R.E. 901, 1002, and 37 C.F.R. §42.61 because Petitioner failed to provide the authentication required for this exhibit, and the exhibit is not self-authenticating under F.R.E. 902.

C. Exhibit 1011

Patent Owner objects to Exhibit 1011 under F.R.E. 901, 1002, and 37 C.F.R. §42.61 because Petitioner failed to provide the authentication required for this exhibit, and the exhibit is not self-authenticating under F.R.E. 902.

D. Exhibit 1012

Patent Owner objects to Exhibit 1012 under F.R.E. 901, 1002, and 37 C.F.R. §42.61 because Petitioner failed to provide the authentication required for this exhibit, and the exhibit is not self-authenticating under F.R.E. 902.

E. Exhibit 1013

Patent Owner objects to Exhibit 1013 as irrelevant under F.R.E. 401-402 because the exhibit is not cited in the Petition (Paper 2) and, therefore, does not appear to make any fact of consequence in determining this action more or less probable than it would be without it. Thus, it is irrelevant and not admissible (F.R.E. 401, 402).

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Patent Owner further objects to Exhibit 1013 under F.R.E. 403 because the exhibit is not cited in the Petition (Paper 2). Thus, its probative value is substantially outweighed by other considerations, including unfair prejudice, confusion of the issues, and waste of time.

Patent Owner further objects to Exhibit 1013 under F.R.E. 901, 1002, and 37 C.F.R. §42.61 because Petitioner failed to provide the authentication required for this exhibit, and the exhibit is not self-authenticating under F.R.E. 902.

F. Exhibit 1016

Patent Owner objects to Exhibit 1016 under F.R.E. 901, 1002, and 37 C.F.R. §42.61 because Petitioner failed to provide the authentication required for this exhibit, and the exhibit is not self-authenticating under F.R.E. 902.

G. Exhibit 1017

Patent Owner objects to Exhibit 1017 under F.R.E. 901, 1002, and 37 C.F.R. §42.61 because Petitioner failed to provide the authentication required for this exhibit, and the exhibit is not self-authenticating under F.R.E. 902

H. Exhibit 1024

Patent Owner objects to Exhibit 1024 as irrelevant under F.R.E. 401-402 because the exhibit is not cited in the Petition (Paper 2) and, therefore, does not appear to make any fact of consequence in determining this action more or less

Patent Owner's Objections to Petitioner's Evidence
probable than it would be without it. Thus, it is irrelevant and not admissible (F.R.E. 401, 402).

Patent Owner further objects to Exhibit 1024 under F.R.E. 403 because the exhibit is not cited in the Petition (Paper 2). Thus, its probative value is substantially outweighed by other considerations, including unfair prejudice, confusion of the issues, and waste of time.

Patent Owner further objects to Exhibit 1024 under F.R.E. 901, 1002, and 37 C.F.R. §42.61 because Petitioner failed to provide the authentication required for this exhibit, and the exhibit is not self-authenticating under F.R.E. 902.

I. Exhibit 1025

Patent Owner objects to Exhibit 1025 as irrelevant under F.R.E. 401-402 because the exhibit is not cited in the Petition (Paper 2) and, therefore, does not appear to make any fact of consequence in determining this action more or less probable than it would be without it. Thus, it is irrelevant and not admissible (F.R.E. 401, 402).

Patent Owner further objects to Exhibit 1025 under F.R.E. 403 because the exhibit is not cited in the Petition (Paper 2). Thus, its probative value is substantially outweighed by other considerations, including unfair prejudice, confusion of the issues, and waste of time.

Patent Owner's Objections to Petitioner's Evidence

Patent Owner further objects to Exhibit 1025 under F.R.E. 901, 1002, and 37 C.F.R. §42.61 because Petitioner failed to provide the authentication required for this exhibit, and the exhibit is not self-authenticating under F.R.E. 902.

J. Exhibit 1026

Patent Owner objects to Exhibit 1026 as irrelevant under F.R.E. 401-402 because the exhibit is not cited in the Petition (Paper 2) and, therefore, does not appear to make any fact of consequence in determining this action more or less probable than it would be without it. Thus, it is irrelevant and not admissible (F.R.E. 401, 402).

Patent Owner further objects to Exhibit 1026 under F.R.E. 403 because the exhibit is not cited in the Petition (Paper 2). Thus, its probative value is substantially outweighed by other considerations, including unfair prejudice, confusion of the issues, and waste of time.

Patent Owner further objects to Exhibit 1026 under F.R.E. 901, 1002, and 37 C.F.R. §42.61 because Petitioner failed to provide the authentication required for this exhibit, and the exhibit is not self-authenticating under F.R.E. 902.

K. Exhibit 1027

Patent Owner objects to Exhibit 1027 as irrelevant under F.R.E. 401-402 because the exhibit is not cited in the Petition (Paper 2) and, therefore, does not appear to make any fact of consequence in determining this action more or less

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probable than it would be without it. Thus, it is irrelevant and not admissible (F.R.E.
401, 402).

Patent Owner further objects to Exhibit 1027 under F.R.E. 403 because the exhibit is not cited in the Petition (Paper 2). Thus, its probative value is substantially outweighed by other considerations, including unfair prejudice, confusion of the issues, and waste of time.

Patent Owner further objects to Exhibit 1027 under F.R.E. 901, 1002, and 37 C.F.R. §42.61 because Petitioner failed to provide the authentication required for this exhibit, and the exhibit is not self-authenticating under F.R.E. 902.

L. Exhibit 1028

Patent Owner objects to Exhibit 1028 as irrelevant under F.R.E. 401-402 because the exhibit is not cited in the Petition (Paper 2) and further apparently post-dates the critical date of U.S. Patent 10,701,321, and, therefore, does not appear to make any fact of consequence in determining this action more or less probable than it would be without it. Thus, it is irrelevant and not admissible (F.R.E. 401, 402).

Patent Owner further objects to Exhibit 1028 under F.R.E. 403 because the exhibit is not cited in the Petition (Paper 2) and further apparently post-dates the critical date of U.S. Patent 10,701,321. Thus, its probative value is substantially outweighed by other considerations, including unfair prejudice, confusion of the issues, and waste of time.

Patent Owner's Objections to Petitioner's Evidence

Patent Owner further objects to Exhibit 1028 under F.R.E. 901, 1002, and 37 C.F.R. §42.61 because Petitioner failed to provide the authentication required for this exhibit, and the exhibit is not self-authenticating under F.R.E. 902.

M. Exhibit 1029

Patent Owner objects to Exhibit 1029 as irrelevant under F.R.E. 401-402 because the exhibit is not cited in the Petition (Paper 2) and, therefore, does not appear to make any fact of consequence in determining this action more or less probable than it would be without it. Thus, it is irrelevant and not admissible (F.R.E. 401, 402).

Patent Owner further objects to Exhibit 1029 under F.R.E. 403 because the exhibit is not cited in the Petition (Paper 2). Thus, its probative value is substantially outweighed by other considerations, including unfair prejudice, confusion of the issues, and waste of time.

Patent Owner further objects to Exhibit 1029 under F.R.E. 901, 1002, and 37 C.F.R. §42.61 because Petitioner failed to provide the authentication required for this exhibit, and the exhibit is not self-authenticating under F.R.E. 902.

Patent Owner further objects to Exhibit 1029 under F.R.E. 106 because Petitioner produced an incomplete excerpt of the document and has not made a complete version available to Patent Owner.

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N. Exhibit 1030

Patent Owner objects to Exhibit 1030 as irrelevant under F.R.E. 401-402 because the exhibit is not cited in the Petition (Paper 2) and, therefore, does not appear to make any fact of consequence in determining this action more or less probable than it would be without it. Thus, it is irrelevant and not admissible (F.R.E. 401, 402).

Patent Owner further objects to Exhibit 1030 under F.R.E. 403 because the exhibit is not cited in the Petition (Paper 2). Thus, its probative value is substantially outweighed by other considerations, including unfair prejudice, confusion of the issues, and waste of time.

Patent Owner further objects to Exhibit 1030 under F.R.E. 901, 1002, and 37 C.F.R. §42.61 because Petitioner failed to provide the authentication required for this exhibit, and the exhibit is not self-authenticating under F.R.E. 902.

Date: December 26, 2024

Respectfully submitted,

/Hao Tan/

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Attorney For Patent Owner

Patent Owner's Objections to Petitioner's Evidence
CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that, on December 26, 2024, a true and correct copy of PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE UNDER 37 C.F.R. § 42.64(b)(1) has been served via e-mail to the Petitioner by serving the below-listed attorneys of record for Petitioner in the concurrent proceeding:

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Date: December 26, 2024

Respectfully submitted,

/ Hao Tan /

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