

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BOE TECHNOLOGY GROUP CO., LTD.,
Petitioner,

v.

138 EAST LCD ADVANCEMENTS LIMITED,
Patent Owner.

Case No. IPR2024-00973
U.S. Patent No. 9,184,157

**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: Declaration of Patrick Murphy, Ph.D., P.E.

Patent Owner has not yet cross-examined Dr. Murphy 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 Dr. Murphy.

II. Exhibits 1012, 1013: Uncited Reference Materials

Patent Owner objects to Exhibit 1012 (James E. Vinson & Juin J. Liou, "Electrostatic Discharge in Semiconductor Devices: An Overview," Proceedings of the IEEE, Vol. 86, No. 2, pp. 399-418 (Feb. 1998)) and Exhibit 1013 (Toshio Murakami et al., "Electrostatic problems and ionization solutions in TFT-LCD Production," Solid State Technology, Vol. 40, No. 1, pp. 99-102 (Jan. 1997)) 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 either exhibit in its Petition.

III. Exhibits 1014, 1016: Complaint in Related District Court Case, Infringement Contentions in Related District Court Case

Patent Owner objects to Exhibit 1014 (Complaint for Patent Infringement filed in *Longitude Licensing Ltd. v. BOE Tech. Group Co., Ltd.*, 2:23-cv-00515-JRG-RSP, Dkt. 1 (E.D. Tex.) (Nov. 8, 2023)) and Exhibit 1016 (Plaintiff's Infringement Contentions in *Longitude Licensing Ltd. v. BOE Tech. Group Co., Ltd.*, 2:23-cv-00515-JRG-RSP (E.D. Tex.) (Mar. 11, 2024)) based on FRE 401/402 (relevance) and/or FRE 403 (probative value outweighed by prejudice, confusing, waste of time).

Date: December 31, 2024

Respectfully submitted,

s/ Cyrus A. Morton

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CERTIFICATE OF SERVICE

I certify that on December 31, 2024, 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:

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Date: December 31, 2024

Respectfully submitted,

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