UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MOTOROLA SOLUTIONS, INC.

Petitioner,

v.

STELLAR, LLC

Patent Owner.

Case IPR2024-01285

U.S. Patent No. 8,928,752

PATENT OWNER'S OBJECTIONS TO PETITIONER'S PRE-INSTITUTION EVIDENCE PURSUANT TO 37 C.F.R. § 42.64(b)(1)

Under the Federal Rules of Evidence and pursuant to 37 CFR § 42.64, Patent Owner Stellar, LLC ("Patent Owner") timely objects to evidence submitted by Motorola Solutions, Inc. ("Petitioner") prior to institution of Inter Partes Review IPR2024-01285. Patent Owner serves Petitioner with these objections to provide notice that Patent Owner may move to exclude the challenged exhibits under 37 C.F.R. § 42.64(c) unless Petitioner cures the defects associated with the challenged exhibits identified below.

Exhibit 1051 – Declaration of Nabil J. Sarhan, Ph.D.

Patent Owner objects to this exhibit under Fed. R. Evid. 702 and/or 802 as Dr. Sarhan has not yet been made available for cross-examination during a deposition.

Patent Owner objects to this exhibit because it contains arguments that are incorporated by reference in the Petition in violation of at least 37 C.F.R. § 42.6(a)(3), e.g., Pet. at 1, and are therefore irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being confusing or a waste of time under Fed. R. Evid. 403.

Patent Owner objects to this exhibit as being irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being confusing or a waste of time under Fed. R. Evid. 403 because it is inadmissible as explained above.

Exhibit 1007 – Special Report: The Patrol Video Project

Patent Owner objects to this exhibit under Fed. R. Evid. 901(a) as Petitioner has not "produced sufficient evidence to support a finding that the item is what the proponent claims it is." For example, Petitioner alleges a publication date but has not provided sufficient evidence pursuant to Fed. R. Evid. 901(b) or otherwise satisfying the requirement of Fed. R. Evid. 901(a).

Patent Owner objects to this exhibit under Fed. R. Evid. 801(c). Petitioner relies on Exhibit 1007 for the truth of the matter asserted, namely that its content was available as of the publication date printed in the article. See, e.g., Ex. 1051 at ¶¶ 50, 64, 106; Pet. at 79. Yet Petitioners have not offered sufficient evidence that Ex.1007 falls within any exception of the rule against hearsay under Fed. R. Evid. 802.

Patent Owner objects to Ex. 1007 as being irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being confusing or a waste of time under Fed. R. Evid. 403 because Ex. 1007 is inadmissible as explained above.

Exhibit 1024 – Digital Mobile Witness Recording System

Patent Owner objects to this exhibit under Fed. R. Evid. 901(a) as Petitioner has not "produced sufficient evidence to support a finding that the item is what the proponent claims it is." For example, Petitioner alleges a publication date but has

not provided sufficient evidence pursuant to Fed. R. Evid. 901(b) or otherwise satisfying the requirement of Fed. R. Evid. 901(a).

Patent Owner objects to this exhibit under Fed. R. Evid. 801(c). Petitioner relies on Exhibit 1024 for the truth of the matter asserted, namely that its content was available as of the publication date printed in the article. See, e.g., Ex. 1051 at ¶ 106. Yet Petitioners have not offered sufficient evidence that Ex.1024 falls within any exception of the rule against hearsay under Fed. R. Evid. 802.

Patent Owner objects to Ex. 1024 as being irrelevant under Fed. R. Evid. 401 and thus inadmissible under Fed. R. Evid. 402, or as being confusing or a waste of time under Fed. R. Evid. 403 because Ex. 1024 is inadmissible as explained above.

Dated: April 1, 2025

By: *<u>/s/ Jason M. Shapiro</u>*

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Patent Owner's Objections to Petitioner's Pre-Institution Evidence Pursuant to 42.64(b)(1) was served on April 1, 2025, to Lead and Back-up Counsel for Petitioner at the service address provided in Petitioner's Mandatory Notices:

Lead Counsel	**Back-Up Counsel**
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Dated: April 1, 2025

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