UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GENIUS SPORTS LTD.,
Petitioner

v.

SPORTSCASTR INC.
(d/b/a PANDA Interactive),
Patent Owner.

IPR2024-01309
U.S. Patent No. 10,425,697

PETITIONER'S SUPPLEMENTAL OBJECTIONS TO PATENT OWNER'S EVIDENCE

The Federal Rules of Evidence generally apply to proceedings before the Board. 37 C.F.R. § 42.62(a). Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner Genius Sports Ltd. ("Petitioner") submits the following supplemental objections to certain exhibits submitted by Patent Owner SPORTSCASTR INC. (d/b/a PANDA Interactive) ("Patent Owner") with Patent Owner's Response. These objections apply equally to Patent Owner's reliance on these exhibits in any subsequently filed documents. These objections are timely filed and served within five business days of service of evidence to which the objection is directed.

Exhibit 2038

Petitioner objects to this exhibit under Fed. R. Evid. 701 as including improper lay testimony to the extent it offers testimony in areas outside of Dr. Rubin's area of expertise or is unsupported by sufficient underlying facts or data.

Petitioner also objects to this exhibit under Fed. R. Evid. 702 and 703, as including statements that are not the product of reliable principles and methods, do not reliably apply the principles and methods to the facts of the case, and/or rely upon facts and data that would not reasonably be relied upon by someone in the relevant field.

Petitioner further objects to this exhibit under Fed. R. Evid. 801 and 802 as inadmissible hearsay not falling within any recognized exception, including those of FRE 803, 804, 805, and 807, to the extent Patent Owner relies on this exhibit for the

truth of the matter asserted.

Date: June 6, 2025

Respectfully submitted,

/s/ W. Todd Baker

W. Todd Baker (Reg. No. 45,265)
todd.baker@kirkland.com
KIRKLAND & ELLIS LLP
1301 Pennsylvania Ave., N.W.
Washington, D.C. 20004
(202) 389-5000

Jeanne M. Heffernan (*pro hac vice*)
Michael Dinnella (Reg. No. 82,580)
KIRKLAND & ELLIS LLP
401 Congress Avenue
Austin, TX 78701
(512) 678-9123

Attorneys for Petitioner Genius Sports, Ltd.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was served on June 6, 2025, via electronic mail directed to counsel of record for the Patent Owner as follows:

Brian Eutermoser (Reg. No. 64,058)
KING & SPALDING LLP
1401 Lawrence Street, Suite 1900
Denver, CO 80202
Telephone: (720) 535-2312

PANDA_K&S_IPR@kslaw.com

/s/ W. Todd Baker
W. Todd Baker