UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GENIUS SPORTS LTD.,
Petitioner,

v.

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

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IPR2024-01310

U.S. Patent No. 11,039,218

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**PATENT OWNER'S OBJECTIONS TO EVIDENCE SUBMITTED BY PETITIONER**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Prior To 37 C.F.R. § 42.64(b)(1), Patent Owner SPORTSCASTR INC. (d/b/a PANDA Interactive) ("PANDA") objects to the following exhibits filed by Petitioner, Genius Sports Ltd. ("Genius") with the Petition (Paper No. 1).

| Exhibit No. | Objection(s) |
|---|---|
| 1001 | **FRE[1] 702/703 and 37 C.F.R. § 42.65:** Improper expert testimony to the extent it does not rely on the kind of facts or data experts in the relevant field would reasonably rely upon without providing the underlying facts or data on which the opinion is based.<br><br>**FRE 701:** Improper lay testimony to the extent testimony is offered outside of Dr. Wicker's areas of expertise or fails to disclose the underlying facts or data on which the opinion is based.<br><br>Additionally, PANDA objects to this testimony to the extent that it incorporates or cites inadmissible exhibits to which PANDA has objected herein or on which an expert in the field would not reasonably rely. |
| 1002 | **FRE 801/802:** To the extent Petitioner relies on the contents of this exhibit for the truth of the matter asserted, Patent Owner objects to such contents as inadmissible hearsay that does not fall under any exceptions. |
| 1022 | **FRE 801/802:** To the extent Petitioner relies on the contents of this exhibit for the truth of the matter asserted, Patent Owner objects to such contents as inadmissible hearsay that does not fall under any exceptions.<br><br>**FRE 901/902:** This exhibit has not been properly authenticated because Petitioner has not presented sufficient evidence that the document is authentic or that the document is self-authenticating. |
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[1] Federal Rules of Evidence.

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| 1025 | **FRE 401/402:** This exhibit is undated, and Petitioner fails to establish its relevance to POSITA's knowledge as of the time of the invention, or to whether a POSITA would have considered any challenged claim of the '697 patent obvious in view of the prior art as of the '697 patent's priority date.<br><br>**FRE 801/802:** To the extent Petitioner relies on the contents of this exhibit for the truth of the matter asserted, Patent Owner objects to such contents as inadmissible hearsay that does not fall under any exceptions.<br><br>**FRE 901/902:** This exhibit has not been properly authenticated because Petitioner has not presented sufficient evidence that the document is authentic or that the document is self-authenticating. |
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Dated: March 26, 2025

*/Brian Eutermoser/*

Brian Eutermoser
Reg. No. 64,058
KING & SPALDING LLP
1401 Lawrence Street, Suite 1900
Denver, CO 80206
Telephone: (720) 535-2312

*Counsel for Patent Owner SportsCastr Inc. (d/b/a PANDA Interactive)*

## CERTIFICATE OF SERVICE

I certify that I caused to be served a true and correct copy of the foregoing: **PATENT OWNER'S OBJECTIONS TO EVIDENCE SUBMITTED BY PETITIONER** were served by filing this document through the Patent Trial and Appeal Case Tracking System (P-TACTS) on March 26, 2025, in its entirety on the following:

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

Jeanne M. Heffernan
jheffernan@kirkland.com
Michael T. Dinnella (Reg. No. 82,580)
michael.dinnella@kirkland.com
KIRKLAND & ELLIS LLP
401 Congress Avenue
Austin, TX 78701

*/Brian Eutermoser/*
Brian Eutermoser
Reg. No. 64,058
KING & SPALDING LLP

*Attorney for Patent Owner SportsCastr Inc. (d/b/a PANDA Interactive)*

Date: March 26, 2025
1401 Lawrence Street, Suite 1900
Denver, CO 80202
Telephone: (720) 535-2312