

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

Petitioner,

v.

DH INTERNATIONAL LTD.,

Patent Owner.

PTAB Case No. IPR2024-01322

Patent No. 9,022,294

**PATENT OWNER'S OBJECTIONS TO PETITIONER'S REPLY AND
REPLY EXPERT DECLARATION
UNDER 35 U.S.C. § 42.107**

First, Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner (PO) hereby objects to Exhibit 1014 - “Reply Declaration of Stuart Lipoff - submitted in support of Petitioner Google LLC’s (“Google” or “Petitioner”) Reply. Patent Owner objects to the entirety of Exhibit 1014 for lacking relevance under Federal Rules of Evidence 401, 402, and 403 and for having unsupported opinion testimony lacking sufficient probative value under Rules 702 and 703.

Second, Patent Owner objects to the Reply for failing to meet the particularity requirement of 35 U.S.C. § 312(a)(3). String cites have been used throughout the Petition and conjunctive and alternate presentation of the prior art references in the Grounds. This lack of particularity adversely affects the ability of the Patent Owner to respond to the issues raised by the Petitioner fully. Further, the Petitioner failed to meet the requirement of the PTAB’s Trial Practice Guide, which advises petitioners to “avoid submitting a repository of all the information that a judge could possibly consider, and instead focus on concise, well-organized, easy-to-follow arguments supported by readily identifiable evidence of record.” 77 Fed. Reg. 48,756, 48,763 (Aug. 14, 2012).

Third, Patent Owner objects to the Petitioner’s Reply Expert Declaration of Stuart Lipoff (Exhibit 1014) under Fed. Rule Evid. 401. The Lipoff Declaration paragraphs 1-26, 28-31, 36-40, 57-83 and 85-89, are not cited in the Reply (only

paragraphs 27, 32-35, 41-56, and 84 are relied on in Petitioner's Reply), and have no relevance, and would be considered new matter if cited after the Reply was filed.

Fourth, Patent Owner objects to Exh. 1014 because in paragraph 2, Exh. 1014, Mr. Lipoff stated, "I incorporate my Opening Declaration by reference. Exhibit 1003 was objected to under Fed. Rule Evid. 403, as the Expert states in paragraph 26, Exh. 1003:

All of the opinions contained in this declaration are based on the documents I reviewed and my knowledge and professional judgement. My opinions have also been guided by my understanding of how a POSITA would have understood the claims of the '294 Patent at the time of the earliest claimed priority date.

Exh. 1003, ¶26. Mr. Lipoff's opinions are based on his knowledge and professional judgment, guided only by the understanding of a POSITA. The opinions in Exh. 1003 needs to be what a POSITA at the time of the invention knows at the time of the invention, not just guided by the understanding of a POSITA. Therefore, all of Mr. Lipoff's opinions are tainted as "based upon his personal knowledge" and not the knowledge of a POSITA.

Fifth, Patent Owner objects to Mr. Lipoff's opinions regarding the Bluetooth specification because Mr. Lipoff is not an expert in Bluetooth communication. Mr.

Lipoff's Bluetooth comments in Exh. 1014 lack relevance under Federal Rules of Evidence 401, 402, and 403 and for having unsupported opinion testimony lacking sufficient probative value under Rules 702 and 703.

Sixth, Patent Owner objects to Petitioner's Reply for relying on Mr. Sturart Lipoff's expert opinions with regard to the Bluetooth specification and Bluetooth operation, when he is not an expert in either.

Dated: August 29, 2025

Respectfully Submitted

By: /s/ *Robert Hart*

Robert Hart (Reg. No. 35,184)
Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies Patent Owner DH International Ltd. served this **PATENT OWNER'S OBJECTIONS TO PETITIONER'S REPLY AND REPLY EXPERT DECLARATION** on the counsel of record for Petitioner Google LLC by filing this document through the P-TACTS, as well as delivering a copy via electronic mail to the following:

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Date: August 29, 2025

By: /s/ *Robert Hart*
Robert Hart