

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TIKTOK INC.,
Petitioner,

v.

NTECH PROPERTIES, INC.,
Patent Owner.

Case No. IPR2024-01340
U.S. Patent No. 8,145,704

**PATENT OWNER'S OBJECTIONS TO EVIDENCE
UNDER 37 C.F.R. § 42.64**

Patent Owner’s Objections to Evidence
IPR2024-01340 (U.S. Patent No. 8,145,704)

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner (“NTECH”) submits the following objections to Petitioner’s exhibits. These objections are timely, having been filed within five business days of the filing of Petitioner’s Reply. NTECH objects to the following exhibits:

Exhibit No.	Description
1023	Supplemental Declaration of Kevin Almeroth, Ph.D.
1024	NTECH Properties, Inc.’s Infringement Claim Chart for U.S. Patent No. 8,145,704
1025	IETF RFC 791: Internet Protocol
1026	IETF RFC 793: Transmission Control Protocol
1027	Movie Screen Advertising Reached
1030	Geolocation: Don’t Fence Web In, Wired (2004)

Exhibit 1023

NTECH objects to Exhibit 1023 under Federal Rules of Evidence (“FRE”) 702 and 703 because it does not reflect reliable application of principles and methods to the facts of the case. For example, Dr. Almeroth fails to provide any technical explanation with citation that supports his opinions.

NTECH also objects to Exhibit 1023 under FRE 801 as inadmissible hearsay if Petitioner does not make Dr. Almeroth available for deposition in connection with his supplemental declaration.

Exhibit 1024

NTECH objects to Exhibit 1024 under FRE 401 and 402 because the exhibit pertains to NTECH's infringement case and therefore is not relevant under FRE 401 and is inadmissible under FRE 402. NTECH also objects to Exhibit 1024 under FRE 403 because it is prejudicial, confusing, of no probative value, and/or a waste of time.

Exhibits 1025, 1026, 1027, and 1030

NTECH objects to Exhibits 1025, 1026, 1027, 1030 under FRE 401 and 402 because they are not relevant under FRE 401 and inadmissible under FRE 402. Exhibits 1025 and 1026 are extrinsic evidence that pertains to Internet/TCP protocols and irrelevant to the construction of "output signal" and what that signal contains. Exhibit 1027 pertains to advertisements at a movie theater and is irrelevant to Whithead's system and what it discloses. Likewise Exhibit 1030 is irrelevant to Whithead's system and what it discloses. NTECH also objects to these exhibits under FRE 403 because they are prejudicial, confusing, of no probative value, and/or a waste of time.

NTECH also objects to Exhibits 1025, 1026, 1027, 1030 under FRE 801-803 for constituting or containing inadmissible hearsay. The exhibits contain out-of-court statements that are offered for the truth of the matter asserted therein.

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NTECH also objects to Exhibits 1025, 1026, 1027, and 1030 under FRE 901 for lacking evidence of authentication. These exhibits have not been shown to be self-authenticating, and Petitioner has not produced any evidence sufficient to support a finding that the exhibits are what Petitioner claims them to be. Use of unauthenticated documentations is not reasonable, particularly to the extent they are relied upon for the truth of the matter asserted.

Dated: September 26, 2025

/James Hannah/

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CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), and pursuant to agreement by the parties that filing with the Board through the Patent Trial and Appeal Case Tracking System (P-TACTS) and e-mailing an electronic copy to counsel of record for Petitioner constitutes electronic service, service was made on Petitioner as detailed below.

<i>Date of service</i>	September 26, 2025
<i>Manner of service</i>	Electronic Filing and Electronic Mail (jimglass@quinnemanuel.com; ogizivojnovic@quinnemanuel.com; junzheng@quinnemanuel.com; qe-bytedance-ntech-iprs@quinnemanuel.com)
<i>Documents served</i>	PATENT OWNER'S OBJECTIONS TO EVIDENCE UNDER 37 C.F.R. § 42.64
<i>Persons Served</i>	Quinn Emanuel Urquhart & Sullivan LLP, James M. Glass Ognjen Zivojnovic Jun Zheng

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