

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAP AMERICA, INC.,
Petitioner,

v.

CYANDIA, INC.,
Patent Owner.

IPR2024-01433
Patent 8,751,948

PETITIONER'S OBJECTION TO PATENT OWNER'S EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b), Petitioner SAP America, Inc. (“Petitioner”) hereby submit the following objections to the evidence Patent Owner filed with its Response dated June 30, 2025 (Paper 21). Petitioner’s objections apply equally to Patent Owner’s reliance on this evidence in any subsequently filed documents in this proceeding.

Petitioner objects as follows to the admissibility of the following evidence submitted prior to institution.

Evidence	Objections
Exhibit 2017 (Declaration of Michael T. Goodrich, Ph.D. in Support of Patent Owner’s Response)	Hearsay under FRE 801-807: The exhibit constitutes inadmissible hearsay if Patent Owner does not make Dr. Goodrich available for a deposition in this proceeding. Lack of relevance, confusion of the issues, and unfair prejudice under FRE 401-403: Each paragraph in Exhibit 2017 lacks relevance, confuses the issues, and risks undue prejudice to the extent not cited in support of an argument made in the patent owner response in this proceeding.
Exhibit 2018 (Excerpts from Pogue, David, “iPhone: The Missing Manual,” O’Reilly Media, Inc., Pogue Press (1st Ed. August 2007))	Lack of authentication under FRE 901: The exhibit is not authenticated. Hearsay under FRE 801-807: The exhibit constitutes inadmissible hearsay.

Exhibit 2019 (Koski, Heli, et al., “Innovation and Dominant Design in Mobile Telephony,” Industry and Innovation, Vol. 14, No. 3, 305-324, July 2007, available at https://www.tandfonline.com/doi/abs/10.1080/13662710701369262)	Lack of authentication under FRE 901: The exhibit is not authenticated. Hearsay under FRE 801-807: The exhibit constitutes inadmissible hearsay.
Exhibit 2020 (Excerpts from Barney, Lee S., “Developing Hybrid Applications for the iPhone,” Addison-Wesley, Pearson Education (2009))	Lack of authentication under FRE 901: The exhibit is not authenticated. Hearsay under FRE 801-807: The exhibit constitutes inadmissible hearsay. Lack of relevance, confusion of the issues, and unfair prejudice under FRE 401-403: The exhibit is not relevant to this proceeding at least because it was published after the alleged priority date of the challenged patent.
Exhibit 2021 (Li, Kevin A., et al., “PeopleTones: A System for the Detection and Notification of Buddy Proximity on Mobile Phones,” MobiSys ’08, June 17-20, 2008)	Lack of authentication under FRE 901: The exhibit is not authenticated. Hearsay under FRE 801-807: The exhibit constitutes inadmissible hearsay. Lack of relevance, confusion of the issues, and unfair prejudice under FRE 401-403: The exhibit is not relevant to this proceeding at least because it was published after the alleged priority date of the challenged patent.

Exhibit 2026 (Excerpts from Dictionary of Computer and Internet Terms, Page 434 (10th Ed. 2009))	Lack of authentication under FRE 901: The exhibit is not authenticated. Hearsay under FRE 801-807: The exhibit constitutes inadmissible hearsay. Lack of relevance, confusion of the issues, and unfair prejudice under FRE 401-403: The exhibit is not relevant to this proceeding at least because it was published after the alleged priority date of the challenged patent.

Respectfully submitted,

Dated: July 8, 2025

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**CERTIFICATE OF SERVICE
IN COMPLIANCE WITH 37 C.F.R. § 42.6(e)(4)**

The undersigned certifies that on July 8, 2025, Petitioner emailed copies of **PETITIONER’S OBJECTION TO PATENT OWNER’S EVIDENCE** to the following email addresses, which Patent Owner has agreed constitutes service. *See* Paper 20 (Patent Owner’s Updated Mandatory Notices).

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