

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SAP AMERICA, INC.,  
Petitioner,

v.

CYANDIA, INC.,  
Patent Owner.

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Case IPR2024-01433  
U.S. Patent No. 8,751,948

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

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner ("Cyandia") 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. Cyandia objects to the following exhibits:

| <b>Exhibit No.</b> | <b>Description</b>                                                               |
|--------------------|----------------------------------------------------------------------------------|
| 1132               | Nomadic Radio: Scalable and Contextual Notification for Wearable Audio Messaging |
| 1133               | Supplemental Declaration of Christopher M. Schmandt                              |

**Exhibit 1132**

Cyandia objects to Exhibit 1132 under Federal Rules of Evidence ("FRE") 401 and 402 because it is not relevant under FRE 401 and inadmissible under FRE 402. Cyandia also objects to the exhibit under FRE 403 because it is prejudicial, confusing, of no probative value, and/or a waste of time.

Cyandia objects to Exhibit 1132 under FRE 801-803 for constituting or containing inadmissible hearsay. Exhibit 1132 contains out-of-court statements that are offered for the truth of the matter asserted therein.

Cyandia also objects to Exhibit 1132 under FRE 901 for lacking evidence of authentication. Exhibit 1132 has not been shown to be self-authenticating, and Petitioner has not produced any evidence sufficient to support a finding that the exhibit is 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.

**Exhibit 1133**

Cyandia objects to Exhibit 1133 under FRE 702 and 703 because it does not reflect reliable application of principles and methods to the facts of the case. For example, Mr. Schmandt often fails to support his assertions with citations to record evidence.

Cyandia also objects to Exhibit 1133 under FRE 801 as inadmissible hearsay if Petitioner does not make Mr. Schmandt available for deposition in connection with his supplemental declaration.

Respectfully submitted,

Dated: September 29, 2025

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Patent Owner's Objections to Evidence  
IPR2024-01433 (U.S. Patent No. 8,751,948)

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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 P-TACTS constitutes electronic service if Patent Owner sends an email notifying Petitioner of the filing, service was made on the Petitioner as detailed below.

|                          |                                                                                                                                                                                                     |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Date of service</i>   | September 29, 2025                                                                                                                                                                                  |
| <i>Manner of service</i> | Electronic Filing with the Board<br>(roy.chamcharas@klarquist.com;<br>andrew.mason@klarquist.com;<br>todd.siegel@klarquist.com;<br>samuel.thacker@klarquist.com;<br>SAP_Cyandia_IPRs@klarquist.com) |
| <i>Documents served</i>  | PATENT OWNER'S OBJECTIONS TO EVIDENCE<br>UNDER 37 C.F.R. § 42.64                                                                                                                                    |
| <i>Persons Served</i>    | KLARQUIST SPARKMAN, LLP,<br>Roy Chamcharas,<br>Andrew M. Mason,<br>Todd M. Siegel,<br>Samuel B. Thacker                                                                                             |

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