

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SLACK TECHNOLOGIES, LLC. and
SALESFORCE, INC.,
Petitioners,

v.

WRINKL, INC.,
Patent Owner

Case Nos.: IPR2024-01490
U.S. Patent No. 11,973,731

PETITIONERS' OBJECTIONS PURSUANT TO 37 C.F.R. § 42.64(b)(1)

Petitioners Slack Technologies, LLC and Salesforce, Inc. (collectively, “Petitioners”) hereby object to the following document submitted by Patent Owner, pursuant to 37 C.F.R. § 42.64(b)(1) and the Federal Rules of Evidence (“FRE”).

Nothing in this paper should be construed as an admission that any rights of Petitioners would have been waived or forfeited had the paper or any objection herein not been filed, or that 37 C.F.R. § 42.64(b) applies to any of the objections herein if § 42.64(b) would not otherwise apply. The objections herein are premised upon § 42.64 potentially being determined to apply to the document in question, and are submitted solely to preserve the rights of Petitioners should § 42.64(b) be determined to apply.

I. Exhibit 2001: TechCrunch Article -- “Slack launches threaded messaging to take conversations off to the side”

Petitioners object to Exhibit 2001.

Under FRE 401/402/403/701/702, this document includes purported statements not relevant to the instituted review, because, among other things, it has not been shown that the author or purportedly quoted individuals are qualified to testify competently regarding the matters the opinions are said to address, which are not rationally based on the witness’s perception and/or could involve the need for knowledge within the scope of FRE 702, or that the statements are based on sufficient facts or data or arrived at by reliable principles, procedures, or methods reliably applied to the facts of this case, or that the opinions will assist the trier of

fact to understand the evidence or to determine any fact in issue and does not have a greater potential to mislead than to enlighten.

Under FRE 602/701/801/802 and 37 C.F.R. § 42.61, this document includes statements that are not shown to be based on first-hand knowledge including of how relied-upon data was generated, is based on speculation, and constitutes and contains inadmissible hearsay.

Under FRE 901, this document is inadmissible because it has not been shown to be authenticated or identified.

To the extent that this document is relied upon as evidence of prior art or of common knowledge or understanding of persons in the art at the priority date at issue, it is inadmissible because it has not been shown to qualify as prior art under, *inter alia*, 35 U.S.C. § 311(b), and there is a lack of supporting documentation to demonstrate common knowledge or understanding as of the priority date.

II. Exhibit 2002: Hubert Florin, Threads in Slack A: Long Design Journey (Part 1 of 2), Slack Design

Petitioners object to Exhibit 2002.

Under FRE 401/402/403/701/702, this document includes purported statements not relevant to the instituted review, because, among other things, it has not been shown that the author or purportedly quoted individuals are qualified to testify competently regarding the matters the opinions are said to address, which are not rationally based on the witness's perception and/or could involve the need for knowledge within the scope of FRE 702, or that the statements are based on

sufficient facts or data or arrived at by reliable principles, procedures, or methods reliably applied to the facts of this case, or that the opinions will assist the trier of fact to understand the evidence or to determine any fact in issue and does not have a greater potential to mislead than to enlighten.

Under FRE 602/701/801/802 and 37 C.F.R. § 42.61, this document includes statements that are not shown to be based on first-hand knowledge including of how relied-upon data was generated, is based on speculation, and constitutes and contains inadmissible hearsay.

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To the extent that this document is relied upon as evidence of prior art or of common knowledge or understanding of persons in the art at the priority date at issue, it is inadmissible because it has not been shown to qualify as prior art under, *inter alia*, 35 U.S.C. § 311(b), and there is a lack of supporting documentation to demonstrate common knowledge or understanding as of the priority date.

III. Exhibit 2003: Almeroth Declaration

Petitioners object to Exhibit 2003.

FRE 401/402/403/702, this document includes testimony not relevant to the instituted review, because, among other things, it has not been shown that the purportedly expert declarant is qualified to testify competently regarding the matters the opinions are said to address, or that the declarant's testimony is based on

sufficient facts or data or arrived at by reliable principles, procedures, or methods reliably applied to the facts of this case, or that the declarant's opinion will assist the trier of fact to understand the evidence or to determine any fact in issue and does not have a greater potential to mislead than to enlighten.

Under FRE 401/705 and 37 C.F.R. § 42.65, this document includes testimony on patent law and practice.

IV. Exhibit 2005: Wrinkl Wins MediaPost' 2018 Appy Award, May 16, 2018

Petitioners object to Exhibit 2005.

Under FRE 401/402/403/701/702, this document includes purported statements not relevant to the instituted review, because, among other things, it has not been shown that the author or purportedly quoted individuals are qualified to testify competently regarding the matters the opinions are said to address, which are not rationally based on the witness's perception and/or could involve the need for knowledge within the scope of FRE 702, or that the statements are based on sufficient facts or data or arrived at by reliable principles, procedures, or methods reliably applied to the facts of this case, or that the opinions will assist the trier of fact to understand the evidence or to determine any fact in issue and does not have a greater potential to mislead than to enlighten.

Under FRE 602/701/801/802 and 37 C.F.R. § 42.61, this document includes statements that are not shown to be based on first-hand knowledge including of how

relied-upon data was generated, is based on speculation, and constitutes and contains inadmissible hearsay.

Under FRE 901, this document is inadmissible because it has not been shown to be authenticated or identified.

To the extent that this document is relied upon as evidence of prior art or of common knowledge or understanding of persons in the art at the priority date at issue, it is inadmissible because it has not been shown to qualify as prior art under, *inter alia*, 35 U.S.C. § 311(b), and there is a lack of supporting documentation to demonstrate common knowledge or understanding as of the priority date.

V. Exhibit 2008: XChat: Channel List (nexlab.azzurra.org)

Petitioners object to Exhibit 2008.

Under FRE 401/402/403, this document includes purported statements not relevant to the instituted review, because, among other things, it has not been shown that the purported disclosures will assist the trier of fact to understand the evidence or to determine any fact in issue and does not have a greater potential to mislead than to enlighten.

Under FRE 602/701/801/802 and 37 C.F.R. § 42.61, this document includes statements that are not shown to be based on first-hand knowledge including of how relied-upon data was generated, is based on speculation, and constitutes and contains inadmissible hearsay.

Under FRE 901, this document is inadmissible because it has not been shown to be authenticated or identified.

To the extent that this document is relied upon as evidence of prior art or of common knowledge or understanding of persons in the art at the priority date at issue, it is inadmissible because it has not been shown to qualify as prior art under, *inter alia*, 35 U.S.C. § 311(b), and there is a lack of supporting documentation to demonstrate common knowledge or understanding as of the priority date.

VI. Exhibit 2009: Davey Alba, Slack's New Threaded Messages Tame Your Meandering Chats, WIRED, January 18, 2017

Petitioners object to Exhibit 2009.

Under FRE 401/402/403, this document is not cited or discussed in Patent Owner's Response.

Under FRE 401/402/403/701/702, this document includes purported statements not relevant to the instituted review, because, among other things, it has not been shown that the author or purportedly quoted individuals are qualified to testify competently regarding the matters the opinions are said to address, which are not rationally based on the witness's perception and/or could involve the need for knowledge within the scope of FRE 702, or that the statements are based on sufficient facts or data or arrived at by reliable principles, procedures, or methods reliably applied to the facts of this case, or that the opinions will assist the trier of fact to understand the evidence or to determine any fact in issue and does not have a greater potential to mislead than to enlighten.

Under FRE 602/701/801/802 and 37 C.F.R. § 42.61, this document includes statements that are not shown to be based on first-hand knowledge including of how relied-upon data was generated, is based on speculation, and constitutes and contains inadmissible hearsay.

Under FRE 901, this document is inadmissible because it has not been shown to be authenticated or identified.

To the extent that this document is relied upon as evidence of prior art or of common knowledge or understanding of persons in the art at the priority date at issue, it is inadmissible because it has not been shown to qualify as prior art under, *inter alia*, 35 U.S.C. § 311(b), and there is a lack of supporting documentation to demonstrate common knowledge or understanding as of the priority date.

VII. Exhibit 2010: U.S. Patent No. 11,539,649

Petitioners object to Exhibit 2010.

Under FRE 401/402/403, this document includes purported statements not relevant to the instituted review, because, among other things, it has not been shown that the purported disclosures will assist the trier of fact to understand the evidence or to determine any fact in issue and does not have a greater potential to mislead than to enlighten.

To the extent that this document is relied upon as evidence of prior art, non-obviousness, or of common knowledge or understanding of persons in the art at the priority date at issue, it is inadmissible because it has not been shown to qualify as

prior art under, *inter alia*, 35 U.S.C. § 311(b), and there is a lack of supporting documentation to demonstrate relevance or non-obviousness..

Date: August 29, 2025

/Robert C.F. Pérez/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 29, 2025, a true and correct copy of the foregoing PETITIONERS' OBJECTIONS PURSUANT TO 37 C.F.R. § 42.64(b)(1) is being served via electronic mail as agreed by the parties on the following attorneys of record:

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