

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JUMIO CORPORATION,
Petitioner,

v.

FACETEC, INC.,
Patent Owner.

Patent No. 10,776,471

Inter Partes Review No. IPR2025-00106

PETITIONER'S OBJECTIONS TO PRE-INSTITUTION EVIDENCE

Petitioner Jumio Corporation hereby objects to the following evidence that was submitted by Patent Owner FaceTec, Inc. with its Patent Owner Preliminary Response (POPR) (Paper 6) and Sur-reply to Petitioner's Reply to Patent Owner's Preliminary Response (Paper 14) in the above-captioned proceeding. In accordance with 37 C.F.R. § 42.64(b)(1), Petitioner timely filed and served these objections within ten (10) business days of the institution of the trial by the Patent and Trial Appeal Board ("Board"), which is reflected in the Board's Institution Decision dated June 6, 2025 (Paper 17).

A. Exhibit 2001 ("10 Reasons to Become an iProov Partner" Blog Post)

Petitioner objects to Exhibit 2001 as being irrelevant and/or unduly prejudicial under Federal Rules of Evidence (FRE) 401-403. Petitioner objects to this exhibit as lacking foundation and lacking authentication under FRE 901. Petitioner objects to this exhibit as containing hearsay to the extent that Patent Owner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. Patent Owner fails to offer any evidence that this exhibit is what Patent Owner claims it to be.

Petitioner objects to the portions of this exhibit not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner

has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, the POPR cites one passage: "I really enjoy working with the iProov team. So far everyone has proven to be really good to deal with. We're working together, kind of one team, and I just can't emphasize it enough: it's great to be working with a bunch of people that you really enjoy spending time with.' Dean Hickman-Smith." Accordingly, all other passages of this exhibit are objected to as not being relevant to any issue in this proceeding.

B. Exhibit 2002 (March 6, 2025 Docket from *FaceTec, Inc. v. iProov Ltd.*)

Petitioner objects to the portions of Exhibit 2002 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, at least Docket Nos. 2-39, 47-55, 58, 59, 61-65, 67, 69-71, 73, 74, 76-78, 80-88, 90, 92-97, 99, 100, 102-111, 113-116, 118, 119, 121, 123-125, 129-134, 136-139, 145, and 150-161 of the exhibit were not cited or discussed in the POPR or Sur-reply. Accordingly, at least

those Docket Nos. of the exhibit are objected to as not being relevant to any issue in this proceeding.

C. Exhibit 2003 (iProov Ltd.’s Non-Infringement, Invalidity, and Unenforceability Contentions from *FaceTec, Inc. v. iProov Ltd.*)

Petitioner objects to the portions of Exhibit 2003 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, at least pages 1-13, 15, 16, and 19-185 of the exhibit were not cited or discussed in the POPR or Sur-reply. Accordingly, at least those pages of the exhibit are objected to as not being relevant to any issue in this proceeding.

D. Exhibit 2004 (Exhibit 471-C to iProov Ltd.’s Non-Infringement, Invalidity, and Unenforceability Contentions from *FaceTec, Inc. v. iProov Ltd.*)

Petitioner objects to the portions of Exhibit 2004 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration

would be unfairly prejudicial to Petitioner. For example, the POPR cites this exhibit for having “44 pages of claim charts.” Accordingly, at least the contents of the exhibit are objected to as not being relevant to any issue in this proceeding.

E. Exhibit 2005 (U.S. Patent No. 9,971,920 to Derakhshani et al.)

Petitioner objects to the portions of Exhibit 2005 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, the POPR cites this exhibit for allegedly “identifying continuation chain leading back to U.S. 8,437,513.” Accordingly, at least the exhibit’s contents other than the alleged continuation chain leading back to U.S. 8,437,513 are objected to as not being relevant to any issue in this proceeding.

F. Exhibit 2006 (iProov Ltd.’s Reply to Plaintiff’s Opposition to Opposed Motion to Intervene from *FaceTec, Inc. v. Jumio Corp.*)

Petitioner objects to the portions of Exhibit 2006 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner’s unstated contentions (if

any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, the POPR cites pages 6 and 7, and ¶ 7 of page 23 of this exhibit. Accordingly, at least pages 1-5, 8-22, and 24, and ¶¶ 1-6 and 8 of page 23 are objected to as not being relevant to any issue in this proceeding.

G. Exhibit 2008 (March 6, 2025 Docket from *FaceTec, Inc. v. Jumio Corp.*)

Petitioner objects to the portions of Exhibit 2008 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, at least Docket Nos. 2-37, 39-44, 46-48, 50-73, 75-81, 84, and 87-93 of the exhibit were not cited or discussed in the POPR or Sur-reply. Accordingly, at least those Docket Nos. of the exhibit are objected to as not being relevant to any issue in this proceeding.

H. Exhibit 2009 (iProov Ltd.'s Notice of Motion and Opposed Motion to Intervene from *FaceTec, Inc. v. Jumio Corp.*)

Petitioner objects to the portions of Exhibit 2009 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner

has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, at least pages 1-5, 7-10, 13, and 15 of the exhibit were not cited or discussed in the POPR or Sur-reply. Accordingly, at least those pages of the exhibit are objected to as not being relevant to any issue in this proceeding.

I. Exhibit 2010 (Order Denying Motion to Voluntarily Dismiss Without Prejudice and Granting Motion to Intervene from *FaceTec, Inc. v. Jumio Corp.*)

Petitioner objects to the portions of Exhibit 2010 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, at least pages 1-3, 5, and 6 of the exhibit were not cited or discussed in the POPR or Sur-reply. Accordingly, at least those pages of the exhibit are objected to as not being relevant to any issue in this proceeding.

J. Exhibit 2011 (iProov Ltd.'s Preliminary Invalidity Contentions from *FaceTec, Inc. v. Jumio Corp.*)

Petitioner objects to the portions of Exhibit 2011 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, at least pages 1, 3-126, 129-132, and 134-193 of the exhibit were not cited or discussed in the POPR or Sur-reply. Accordingly, at least those pages of the exhibit are objected to as not being relevant to any issue in this proceeding.

K. Exhibit 2012 (Jumio Corp.'s Invalidity Contentions from *FaceTec, Inc. v. Jumio Corp.*)

Petitioner objects to the portions of Exhibit 2012 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, at least pages 1-17 and 23-91 of the exhibit were not cited or discussed in the POPR or Sur-reply.

Accordingly, at least those pages of the exhibit are objected to as not being relevant to any issue in this proceeding.

L. Exhibit 2013 (File History of U.S. Application No. 14/839,505)

Petitioner objects to the portions of Exhibit 2013 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, at least pages 1-407, 410, and 412-675 of the exhibit were not cited or discussed in the POPR or Sur-reply. Accordingly, at least those pages of the exhibit are objected to as not being relevant to any issue in this proceeding.

M. Exhibit 2014 (U.S. Patent No. 9,953,149 to Tussy)

Petitioner objects to the portions of Exhibit 2014 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, the POPR cites this exhibit for allegedly being "considered by the same Examiner in the grandparent

'149 patent.” Accordingly, at least the exhibit’s contents other than the alleged consideration by the same Examiner in the grandparent ’149 patent are objected to as not being relevant to any issue in this proceeding.

N. Exhibit 2015 (U.S. Patent Application Publication No. 2014/0198959 A1 to Derakhshani et al.)

Petitioner objects to the portions of Exhibit 2015 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, the POPR cites this exhibit for allegedly “claim[ing] priority to the application that issued as the Derakhshani reference relied on by Petitioner.” Accordingly, at least the exhibit’s contents other than the alleged claim of priority to the application that issued as the Derakhshani reference are objected to as not being relevant to any issue in this proceeding.

O. Exhibit 2016 (FaceTec, Inc.’s Memorandum in Opposition to Motion for Stay from *FaceTec, Inc. v. Jumio Corp.*)

Petitioner objects to the portions of Exhibit 2016 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner

has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, at least pages 1-11, 13, 15-17 of the exhibit were not cited or discussed in the POPR or Sur-reply. Accordingly, at least those pages of the exhibit are objected to as not being relevant to any issue in this proceeding.

P. Exhibit 2017 (Jumio Corp.'s Reply in Support of its Motion to Stay Case Pending *Inter Partes* Review from *FaceTec, Inc. v. Jumio Corp.*)

Petitioner objects to the portions of Exhibit 2017 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, at least pages 1-6 and 8-16 of the exhibit were not cited or discussed in the POPR or Sur-reply. Accordingly, at least those pages of the exhibit are objected to as not being relevant to any issue in this proceeding.

Q. Exhibit 2018 (U.S. Patent Application Publication No. U.S. 2014/0169643 A1 to Todoroki)

Petitioner objects to the portions of Exhibit 2018 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, at least Figures 1-10, [0002], [0020]-[0056], [0058]-[0063], [0065], [0066], [0070]-[0103], and claims 1-8 of the exhibit were not cited or discussed in the POPR or Sur-reply. Accordingly, at least those pages of the exhibit are objected to as not being relevant to any issue in this proceeding.

R. Exhibit 2019 (U.S. Patent 8,280,120 to Hoyos et al.)

Petitioner objects to the portions of Exhibit 2019 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, the POPR cites this exhibit for allegedly "listing Ex. 1010's application number." Accordingly, at least

the exhibit's contents other than the alleged listing of Ex. 1010's application number are objected to as not being relevant to any issue in this proceeding.

S. Exhibit 2020 (Jumio Corp.'s Motion to Stay Case Pending *Inter Partes* Review from *FaceTec, Inc. v. Jumio Corp.*)

Petitioner objects to the portions of Exhibit 2020 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, at least pages 1-8, 10, 13-22, 29, and 30 of the exhibit were not cited or discussed in the POPR or Sur-reply. Accordingly, at least those pages of the exhibit are objected to as not being relevant to any issue in this proceeding.

T. Exhibit 2021 (FaceTec, Inc.'s Request for Voluntary Dismissal Without Prejudice from *FaceTec, Inc. v. Jumio Corp.*)

Petitioner objects to the portions of Exhibit 2021 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, the POPR cites this

exhibit for allegedly showing that “Petitioner Jumio opposed” “FaceTec[’s] [motion] to dismiss the California action.” Accordingly, at least the exhibit’s contents other than the alleged opposition are objected to as not being relevant to any issue in this proceeding.

U. Exhibit 2022 (Jumio Corp.’s Opposition to FaceTec, Inc.’s Request for Voluntary Dismissal Without Prejudice from *FaceTec, Inc. v. Jumio Corp.*)

Petitioner objects to the portions of Exhibit 2022 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, the POPR cites this exhibit for allegedly showing that “Petitioner Jumio opposed” “FaceTec[’s] [motion] to dismiss the California action.” Accordingly, at least the exhibit’s contents other than the alleged opposition are objected to as not being relevant to any issue in this proceeding.

V. Exhibit 2023 (Discovery Plan and Scheduling Order from *FaceTec, Inc. v. iProov Ltd.*)

Petitioner objects to the portions of Exhibit 2023 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the

objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, at least pages 1, 2, 4, and 5 of the exhibit were not cited or discussed in the POPR or Sur-reply. Accordingly, at least those pages of the exhibit are objected to as not being relevant to any issue in this proceeding.

W. Exhibit 2024 (Complaint from *FaceTec, Inc. v. iProov Ltd.*)

Petitioner objects to the portions of Exhibit 2024 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, the POPR cites this exhibit for allegedly showing that Nevada case "was filed in December 2021" for "infringement of the '471 patent." Accordingly, at least the exhibit's contents other than the alleged filing of the Nevada case are objected to as not being relevant to any issue in this proceeding.

X. Exhibit 2025 (iProov’s Acceptance of Service from *FaceTec, Inc. v. iProov Ltd.*)

Petitioner objects to the portions of Exhibit 2025 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, the POPR cites this exhibit for allegedly showing that “iProov accepted service on January 26, 2022.” Accordingly, at least the exhibit’s contents other than the alleged service are objected to as not being relevant to any issue in this proceeding.

Y. Exhibit 2027 (File History of U.S. Application No. 15/900,681)

Petitioner objects to the portions of Exhibit 2027 not discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding. If the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. For example, at least pages 1-3 and 5-657 of the exhibit were not cited or discussed in the POPR or Sur-reply.

Accordingly, at least those pages of the exhibit are objected to as not being relevant to any issue in this proceeding.

Z. Exhibit 2029 (iProov’s Motion for Partial Stay from *FaceTec, Inc. v. iProov Ltd.*)

Petitioner objects to Exhibit 2029 for not being discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding.

Additionally, if the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner.

AA. Exhibit 2030 (Order Granting Motion to Disqualify Defendant Jumio’s Counsel from *FaceTec, Inc. v. Jumio Corp.*)

Petitioner objects to Exhibit 2030 for not being discussed or cited in the POPR or Sur-reply, as not being relevant to any issue in this proceeding.

Additionally, if the objected to material was not discussed or cited in the POPR or Sur-reply, Petitioner has had no fair opportunity to respond to Patent Owner’s unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner.

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Dated: June 23, 2025

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Certificate of Service (37 C.F.R. § 42.6(e)(4))

I hereby certify that the attached PETITIONER’S OBJECTIONS TO PRE-INSTITUTION EVIDENCE were served as of the below date via email (by agreement) on the Patent Owner to the following counsel of record:

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Dated: June 23, 2025

/s/ Jean Nguyen
Jean Nguyen