

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner,

v.

DH INTERNATIONAL LTD.,

Patent Owner.

PTAB Case No. IPR2025-00172

Patent No. 9,022,294

**PATENT OWNER'S OBJECTIONS TO PETITIONER'S PETITION
AND EXPERT DECLARATION
UNDER 35 U.S.C. § 42.107**

Petitioner Apple Inc. (“Apple” or “Petitioner”) filed its Petition for *Inter Partes* Review (IPR) of U.S. Patent No. 9,022,294 (the 294 Patent”) on December 3, 2024. (IPR2025-00172, Paper No. 1 (“Petition”)). The Board instituted the IPR on June 25, 2025. Patent Owner now objects to evidence submitted during the preliminary phase of this IPR under 35 U.S.C. § 42.64(b)(1).

First, the Patent Owner objects to the Petition’s reliance on non-prior art reference Exh. 1005 because it fails to meet the particularity requirement of 35 C.F.R. § 42.63 and under Fed. Rule Evid. 401 and 403. The translator certificate fails to meet the requirements of 35 C.F.R. § 42.63 and 35 C.F.R. § 1.68 and reference cannot be considered prior art or relied upon by the Board in the Institution Decision.

Second, Patent Owner objects, under Fed. Rule Evid. 401 and 403, to Fed. Rule Evid. 401 and 403 because the Petition fails to meet the requirements of 35 U.S.C. § 312(a) and 37 C.F.R. § 42.104(b)(4). The Petition lacks specificity as to where each element of the claims of the ’294 Patent are found in the relied upon prior art. Pursuant to 37 C.F.R. § 42.65(a), vague and conclusory expert declarations are entitled to little or no weight.

Third, Patent Owner objects to the Petitioner’s Expert Declaration of Michael Buehrer (Exhibit 1004) under Fed. Rule Evid. 401 and 403. The Declaration contains mostly vague and conclusory statements.

Fourth, Patent Owner objects to Exhibit 1005 under Fed. Rule Evid. 401 because it is not prior art and thus is not relevant.

Fifth, Patent Owner objects to Exhibit 1017 under Fed. Rule Evid. 401 and 403 because it is not the reference relied upon in the Petition, Expert Declaration, along with the Institution Decision. Exhibit 1017 was not filed with the Petition.

Sixth, Patent Owner objects to the Board's use of Exhibit 1005 as a matter of law in the institution decision (Paper 8), because Exhibit 1005 is not prior art and the reference is relied upon as one of two references in the only ground asserted in the IPR.

Dated: July 8, 2025

Respectfully Submitted

By: *Robert Hart*

Robert Hart (Reg. No. 35,185)

ADDYHART P.C.

2025 Guadalupe Street, Suite 260

Austin, TX 78705

949.337.0568

robert@addyhart.com

Counsel for Patent Owner

DH International Ltd.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies Patent Owner DH International Ltd. served this **PATENT OWNER'S OBJECTIONS TO PETITIONER'S PETITION AND EXPERT DECLARATION** on the counsel of record for Petitioner Apple Inc. by filing this document through the P-TACTS, as well as delivering a copy via electronic mail to the following:

Paul R. Hart (Reg. No. 59,646)
Paul.Hart@eriseip.com
PTAB@eriseip.com

Adam P. Seitz (Reg. No. 52,206)
Adam.Seitz@eriseip.com

Date: July 8, 2025

By: *Robert Hart*
Robert Hart