

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RØDE MICROPHONES, LLC AND
FREEDMAN ELECTRONICS PTY LTD,
Petitioners

v.

ZAXCOM, INC.,
Patent Owner

IPR2025-00230

U.S. Patent No. 7,711,443

Patent Owner's Objections to Petitioners' Evidence
Submitted with Petitioners' Reply

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Pursuant to 37 C.F.R. §§ 42.23, 42.5, 42.64, the PTAB Consolidated Trial Practice Guide (“CTPG”), and the Federal Rules of Evidence (“FRE”), Patent Owner, Zaxcom, Inc (“Zaxcom” or “Patent Owner”) hereby object to the admissibility of certain evidence provided with Petitioners’ *Reply to Patent Owner’s Response* (Paper 43, filed Dec. 1, 2025) (“Reply”), filed by RØDE Microphones, LLC and Freedman Electronics Pty Ltd (“RØDE” or “Petitioners”). These objections are timely and made to preserve all rights to seek exclusion.

Petitioners’ Reply introduces new theories, arguments, evidence, new claim-construction positions, new analogies, and new motivations to combine that were not disclosed in the Petition, and should therefore be stricken or given no weight, including but not limited to:

- New constructions of *locally generated audio*, *local audio data*, *master timecode generator* (Claim 1), *multi-track* (Claim 15), and *body pack* (Claim 19);
- New stereo spatial imaging theory for multi-track (Paper 43 at 12);
- New argument that Figure 6’s 24-lb backpack is “wearable” by relying on new factual predicates (Paper 43 at 6);
- New conception/diligence attacks unrelated to Petitioners’ case-in-chief; and

- New motivations to combine Strub and Woo based on “mature” technologies, “GPS jam sync[ing],” elimination of video camera, etc., not in the Petition. Paper 43 at 20; *Id.*; and *Id* at 21, respectively.

I. Evidence Improperly Presented at the Reply Stage 1039-1076

In addition to the other grounds set forth below, Patent Owner objects to Exhibits 1039-1076 as being inadmissible. To the extent Petitioners rely on new expert opinions in Exhibit 1073 or newly cited factual material that were not in the Petition, these are improper. Reply evidence is limited to responding to arguments raised in the POR, not creating an entirely new case. *See* 37 C.F.R. § 42.23(b).

Petitioners improperly expand:

- New audio-engineering principles
- New interpretations of Strub and Woo
- New industry-practice assertions
- New conception/diligence critiques never previously raised
- New contentions regarding “obviousness of stereo mixing,” etc.

As such, these exhibits and the new factual materials should be excluded or given no weight as it exceeds the permissible scope of a reply. CTPG clearly states that “Petitioner may not submit new evidence or argument in reply that it could have presented earlier, e.g. to make out a prima facie case of unpatentability. A party also may submit rebuttal evidence in support of its reply. *See Belden Inc. v.*

Berk-Tek LLC, 805 F.3d 1064, 1077–78 (Fed. Cir. 2015). If a party submits a new expert declaration with its reply, the opposing party may cross-examine the expert, move to exclude the declaration, and comment on the declaration and cross-examination in any sur-reply. *Id.* at 1081–82." CTPG, p. 73 (emphasis added). As Petitioner could have made all the arguments that these Exhibits support earlier, Petitioner should not have submitted, at a minimum, the following arguments or its listed exhibits:

A. Exhibits 1039, 1073

“Woo’s ‘slave or jam sync’ process includes a master timecode generator (per Woo, ‘another source’) that executes either ‘hard’/continuous or ‘soft’/initial lock to control a local/’slave’ timecode generator. *Id.* Indeed, ‘jam syncing’ means synchronizing one time reference/clock to another. *See* [Ex. 1039 and 1073].”
Paper 43 at 10.

B. Exhibits 1040-1043, 1046, 1073

“For instance, Strub teaches stereo microphones/recording, Ex. 1003, 25:35-48, 68:63-65, which comprises storing audio tracks as separate Right and Left tracks in a single stereo (i.e., multi-track) file. Strub repeatedly emphasizes preserving the ‘spatial’ and ‘imaging’ aspect of an audio performance, *id.*, 93:3-11, 22:59-63, 24:18-30, 24:43-60, which is accomplished using stereo multi-track recording. *See* [Ex. 1040, 1041, 1042, 1043, 1046, and 1073].” Paper 43 at 12.

C. Exhibits 1044, 1049, 1052, 1073

“It was well-known that a DSP is a species of, and often integrated with, a microcontroller. *See* Ex. [1049, 1044, and 1052]. Strub never says the DSP must be separate from the microcontroller. A POSA would have considered it obvious to implement Strub’s control unit as or including a DSP. Ex. 1002, ¶ 243. Ex. 1073, ¶¶ 93-94.” Paper 43 at 15.

D. Exhibits 1050, 1054, 1055, 1065

“By July 2004, the situation was even clearer, with the availability of larger flash memories, more advanced RF technology, and even the specific Motorola TMS320C5509A chip described in the challenged patent ... Ex. 1050; Ex. 1054; Ex. 1055; Ex. 1065.” Paper 43 at 25.

E. Exhibits 1069, 1073

“A POSA was readily able to make a lightweight compact device for recording and transmitting audio. Ex. 1073, ¶ 104; Ex. 1069.” Paper 43 at 25.

F. Exhibits 1045, 1047, 1073, 1062

“Woo is analogous art in the same field as Strub since they both concern audio recording along with other common objectives (e.g., audio transmission, time-stamping). Ex. 1073, ¶¶ 8890, 116-120; Ex. 1045; Ex. 1047; Ex. 1062.” Paper 43 at 14. In particular, the reference to Exhibit 1062 without reference to any

subsection therefore is an attempt to improperly incorporate new arguments and to do so at the Reply stage of the proceeding.

G. Exhibits 1048, 1051, 1073

“Solid state memories up to 128MB were available and suitable for storing audio. Ex. 1048; Ex. 1051; Ex. 1073.” Paper 43 at 25.

H. Exhibits 1056, 1057, 1073

“‘Master timecode generator’ should bear its ordinary meaning – ‘a generator of master timecodes.’ ... *See also* Ex. 1056, Abstract; Ex. 1057 5:48-50, FIG. 2; Ex. 1073, ¶ 26.” Paper 43 at 8.

I. Exhibit 1053

“For instance, independent claim 16 of the related ’605 patent recites that there is ‘a remote receiver.’ Ex. 1053, Claim 16.” Exhibit 1073, ¶ 39. Notably, this Exhibit was not used in the Reply at all, and, therefore, should be stricken.

J. Exhibits 1058, 1073

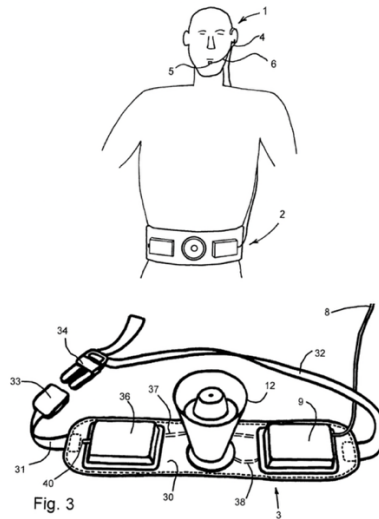
“Petitioners’ ordinary meaning construction – ‘a compact bundle of equipment arranged for convenience for carrying on the body’ - conforms to the definition of ‘pack’— modified such that the pack is carried on the ‘body.’ *See* Ex. 1058, 6; Ex. 1073, ¶¶ 32-33.” Paper 43 at 15.

K. Exhibits 1059, 1060, 1073

“A contemporaneous 2003 definition supports Petitioner: ‘a body pack is the device a performer wears somewhere on his or her body that houses the electronics’ Ex. 1059, Ex. 1060, Ex. 1073, ¶¶ 42. Non-box-shaped body packs are also confirmed by prior art. Ex. 1073, ¶¶ 42-44.” Paper 43 at 16.

L. Exhibit 1061

“Ex. 1061, FIGS. 1-3, [0019]-[0025]:”



Paper 43 at 17.

M. Exhibit 1063

“The cited documents heavily emphasize *digital* transmission over analog, wherein only dependent claim 24 recites digital transmission. *See* Ex. 1063” Paper 43 at 27.

N. Exhibits 1064, 1073

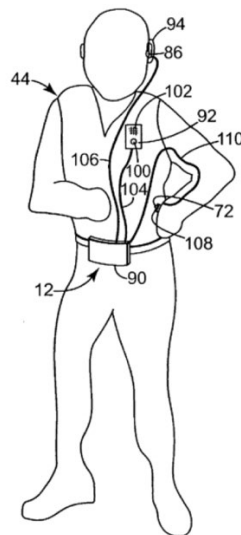
“Microcontrollers were available and suitable for audio processing, storage, and control of the various components, including Strub’s Motorola 68HC11 and TI’s TMS320C5x family. Ex. 1064; Ex. 1073, ¶ 156.” Paper 43 at 25.

O. Exhibits 1066, 1073

“A contemporaneous dictionary refutes PO’s construction by indicating that the tracks may be of the “same or different material.” Ex. 1066, 3; Ex. 1073, ¶ 25.” Paper 43 at 12.

P. Exhibit 1067

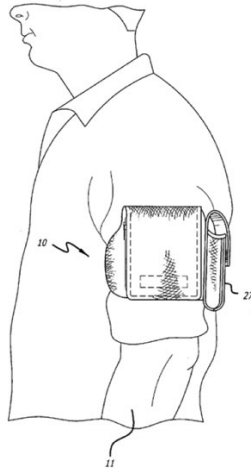
“Ex. 1067, FIGs. 2-3, [0039]-[0041], [0017], [0024]:”



Paper 43 at 18.

Q. Exhibit 1068

“Ex. 1068, FIGs. 1-2, [0018], [0010], [0024], [0028]:”



Paper 43 at 18.

R. Exhibits 1070, 1073

“The challenged claims were enabled by Strub even by April 2000. It is undisputed that microphones and compact digital recorders (e.g., Sony TCD-D7 Walkman) were well known. Ex. 1070; Ex. 1073, ¶ 153.” Paper 43 at 25.

S. Exhibits 1071, 1072, 1073

“Radio technology, including 900 MHz (e.g., Conexant RF105/109 chipsets), 802.11, and GSM were well known, available, and suitable for digital audio transmission. Ex. 1071; Ex. 1072; Ex. 1073, ¶ 155.” Paper 43 at 25.

T. Exhibit 1073 (not previously cited)

“Regardless, Dr. Kyriakakis was at least a POSA in July 2005 under either party’s definition. Ex. 1073, ¶¶ 4-5.” Paper 43 at 1. “‘Locally generated audio’ is audio generated near the local audio device. Ex. 1073, ¶ 10.” *Id.* at 2. “Instead, a generic ‘new audio file is created’ in memory. Ex. 1001, FIG. 4A, 13:1-5. PO’s

construction also makes claim 15 redundant. Ex. 1073, ¶¶ 13-14.” *Id.* “His testimony concerning a ‘scratch track’ and ‘ambient mic’ are irrelevant because it does not follow that a track containing audio of both wearer and non-wearer(s) would be useless. Ex. 1073, ¶¶ 11-12.” *Id.* at 2-3. “Strub’s local audio devices 105-108, 200, and 300 receive ‘locally generated audio’...Ex. 1073...In Strub, the wearer of the recording unit is an event ‘participant’ – *i.e.*, someone who generates audio and not merely an observer... Ex. 1073” *Id.* at 3. “It would at least have been obvious to a POSA that the device wearer would generate audio. Ex. 1073, ¶ 49-50...At a minimum, this would have at least been obvious to a POSA. Ex. 1073, ¶¶ 49-53.” *Id.* at 4. “Further, Claim 1 is a ‘comprising’ claim that permits additional local audio generated by other creators. Indeed, ‘a creator’ means one or more creators, which could include the wearer as well as additional nearby creators. Ex. 1073, ¶¶ 15-17.” *Id.*

“Strub also provides design guidance concerning wearability, including making it ‘small size, low weight,’ ‘unobtrusive[],’ ‘compact as possible,’ a ‘single apparatus’ housing all the components, and using a ‘flexible encasement’ to make the unit ‘comfortable to wear.’ *Id.*, 66:26-51, 9:15-33; Ex. 1073, ¶¶ 54-55, 60.” *Id.* at 5. “This indicates they have receivers and transmitters consistent with recording unit 300. Ex. 1073, ¶¶ 55-57.” *Id.* at 6. “Moreover, the unit can be made ‘lighter (and smaller),’ especially since visual data acquisition device (camera 603) would

not be needed for the challenged claims...Ex. 1073." *Id.* "The exemplary recording unit is not merely *in* a backpack but is itself '*constructed in manner similar to a conventional backpack.*' ... Ex. 1073, ¶¶ 65-66." *Id.* at 7. "The challenged claims simply require 'wearable by a **creator** of...locally generated audio,' *not* suitability for invisible use by professional actors in 'the motion picture industry.' POR, 18; Ex. 1073, ¶ 67." *Id.* "Such audio is not 'scratch' track of 'all audio sources,' POR, 18-19, but a separate/isolated/independent audio track created by the wearer/performer. Ex. 1073, ¶ 67." *Id.* "PO's construction of 'master timecodes' would also exclude asynchronous mode by requiring the timecodes be 'used to synchronize at least one device.' Ex. 1073, ¶¶ 27-31." *Id.* at 8.

"Strub repeatedly teaches that the local/internal clock is used to time-stamp data...Ex. 1073." *Id.* at 9. "However, if the GPS signals are "blocked," then the local clock will begin to "drift" away from the GPS time it was previously synchronized to. Ex. 1003, 63:41-60; Ex. 1073, ¶¶ 70-71. Second, Strub teaches that the "clocks of different recording units may not be adequately synchronized" but that such mis-synchronization will not occur while receiving GPS signals, indicating that GPS is being used to synchronize the clocks. *Id.*, 79:63-80:9; Ex. 1073, ¶ 72." *Id.* "But this 'highly accurate pulse' is generated based on information in the received GPS signal, in particular the accumulation of the GPS code epochs...Ex. 1073, ¶¶ 77-78...Even if GPS signals are blocked *sometimes*, the

challenged claims do not require ‘continuous’ timecodes or any particular level of availability. Ex. 1073, ¶¶ 79, 109.” *Id.* at 10. “PO’s citations are exemplary, not definitional, and merely refer to the use/goal of creating multi-track files. POR, 12 (citing Ex. 1001, 15:18- 21, 13:18-21); Ex. 1073, ¶¶ 18-20...The second sentence relied upon by PO is prefaced by ‘[d]uring a typical recording session ...’ and is merely illustrative. Ex. 1073, ¶¶ 23-24.” *Id.* at 11-12. “A POSA would understand this to include combining recordings into a single file of separate tracks. Ex. 1073, ¶ 81.” *Id.* at 12. “Claim 15 recites obvious, standard editing functionality that could have been performed with widely available software—*e.g.*, Pro Tools, Avid Media Composer, Short/cut 2000. *See* Ex. 1002, ¶ 240; Ex. 1073, ¶ 87.” *Id.* at 14. “Thus, a POSA would understand that Strub’s system controller may comprise a DSP, or that this would at least have been obvious, to perform functions such as beam forming, conversion, and compression. *Id.*, 27:45–51, 12:16–21, 38:15–20; Ex. 1073, ¶ 92.” *Id.* at 14-15.

“A POSA would have considered it obvious to implement Strub’s control unit as or including a DSP...Ex. 1073, ¶¶ 93-94.” *Id.* at 15. ‘The specification’s mentions of “body pack” (Ex. 1001, 1:40-47, 7:46-60, 10:52-53) merely indicate that a transmitter *may be* included in a body pack, not that all body packs include a transmitter, and say nothing about a body pack being a ‘small box.’ Figures 1 and 3B as illustrative, not definitions of ‘body pack.’ Ex. 1073, ¶¶ 34-38. Exhibits 2020

and 2025 are non-contemporaneous (2012, 2016) and merely *use* the term rather than *define* it. Further, they recite a ‘bodypack transmitter,’ demonstrating that ‘bodypack’ does not necessarily include one. Ex. 2020, 14; Ex. 2025, 7. And the depicted products do not demonstrate that *all* body packs must be small boxes. Ex. 1073, ¶¶ 40-41.” *Id.* at 16. “A POSA would consider a backpack a bodypack since it is carried on the body and encloses the recording unit components. Ex. 1073, ¶¶ 95-97.” *Id.* at 19. “Regardless, teaching that a unit can be adapted to be worn teaches wearability. Ex. 1073, ¶ 100.” *Id.* “When the backpack is worn, the unit is worn. Ex. 1073, ¶¶ 97-98, 65-66.” *Id.* “Therefore, a POSA would have been motivated to consider and apply the teachings of both when developing a recording system with transmission and timecode capabilities, especially since they both use conventional, mature, and predictable technology. Ex. 1073, ¶¶ 105-107.” *Id.* at 20. “GPS is free and avoids the cost and complexity of providing an alternate master timecode generator, and for those occasional situations where GPS may be blocked, use of GPS jam-sync enables the local timecode generator to continue to accurately timestamp for a useful period of time until the GPS is re-acquired. Ex. 1073, ¶ 107.” *Id.* at 20-21.

“Furthermore, the heaviest, bulkiest, most power-hungry components of Strub’s recording unit 300—the video camera and LCD (*id.*, 14:38-40, 22:3-15, 45:8-15) are not required by the challenged claims and could be eliminated in an

audio-only unit. Ex. 1073, ¶¶ 110-111.” *Id.* at 21. “Nor is there any disclosure of unstamped audio data. Ex. 1073, ¶¶ 144-146.” *Id.* at 23. “But the challenged claims do not require video, AI, or displays. This is also fatal. Ex. 1073, ¶ 152.” *Id.* at 24. “Thus, the relevant components and technologies were well understood, mature, and predictable. Ex. 1073, ¶ 153.” *Id.* at 25. “...real world project various tasks would be assigned among several engineers. Ex. 1073, ¶ 159.” *Id.* at 26. “Messrs. Wexler, Sarokin, and DeFilippis do not identify any failed attempts by others, let alone show nexus. Ex. 1073, ¶¶ 131-135.” *Id.* at 26. “...claims for which PO has not made any independent non-obviousness argument. Ex. 1073, ¶¶ 136-139.” *Id.* “The Emmy similarly relies on unclaimed elements such as file format, file protection, audio return signal, latency, compression, remote control, number of channels, distortion levels, etc. Ex. 2128, 11; Ex. 2129, 3; Ex. 2130, 3; Ex. 1073, ¶¶ 140-142.” *Id.* at 27. “Even if probative, the closeness of the prior art in this case overshadows the purported objective evidence. Ex. 1073, ¶ 143.” *Id.* at 27.

II. Exhibits 1039-1057, 1061, 1067-1069 (U.S. Patents & Publications)

Patent Owner objects to Exhibits 1039-1057, 1061, 1067-1069 as being irrelevant under FRE 401-403 for being cited only for general background propositions.

Patent Owner objects to Exhibits 1039-1057, 1061, 1067-1069 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exception.

III. Exhibit 1058 (Merriam-Webster Dictionary Pages)

Patent Owner objects to Exhibit 1058 as being incomplete under FRE 106.

Patent Owner objects to Exhibit 1058 as being irrelevant under FRE 401-403 because this generic dictionary excerpt is irrelevant to the technical meaning of “body pack.”

Patent Owner objects to Exhibit 1058 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exception.

Patent Owner objects to Exhibit 1058 as unauthenticated under FRE 901 and 902.

IV. Exhibits 1059 (Why Sweetwater), Exhibit 1060 (Body Pack Sweetwater)

Patent Owner objects to Exhibits 1059 & 1060 as being incomplete under FRE 106.

Patent Owner objects to Exhibits 1059 & 1060 as being irrelevant under FRE 401-403 because this generic dictionary excerpt is irrelevant to the technical meaning of “body pack.”

Patent Owner objects to Exhibits 1059 & 1060 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exception.

Patent Owner objects to Exhibits 1059 & 1060 as unauthenticated under FRE 901 and 902.

VI. Exhibits 1062 (Lectrosonics FWD)

Patent Owner objects to Exhibit 1062 as irrelevant under FRE 401-403 and FRE 611 as submission of the final written decision in an unrelated IPR is improper attorney argument disguised as evidence and therefore inadmissible.

Patent Owner objects to Exhibit 1062 as inadmissible hearsay under FRE 801 and 802 and hearsay within hearsay under FRE 805, that does not fall within any exception.

Patent Owner objects to Exhibit 1062 as unauthenticated under FRE 901 and 902.

Patent Owner objects to Exhibit 1062 under 35 U.S.C. §§ 311, 314, 316, and 318, because it has no relevance to the instituted grounds. A Final Written Decision from an unrelated IPR does not relate to any instituted claim, instituted ground, or instituted prior-art combination in this proceeding and is therefore outside the PTAB's statutory scope.

Patent Owner objects to Exhibit 1062 under 37 C.F.R. § 42.6(a)(3) because it attempts to improperly incorporate an argument by reference, particularly considering it merely cites to the entire written decision without reference to any sentence thereof.

VII. Exhibits 1063 (Zaxcom Press Release)

Patent Owner objects to Exhibit 1063 as irrelevant under FRE 401-403 as a promotional press release is irrelevant to any fact of consequence and is not probative of any issue.

Patent Owner objects to Exhibit 1063 as inadmissible hearsay under FRE 801 and 802 and hearsay within hearsay under FRE 805, that does not fall within any exception.

Patent Owner objects to Exhibit 1063 as unauthenticated under FRE 901 and 902.

VIII. Exhibits 1064 (TMS320C5x User's Guide)

Patent Owner objects to Exhibit 1064 as irrelevant under FRE 401-403 as the Exhibit is cited only for generic background.

Patent Owner objects to Exhibit 1064 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exception.

Patent Owner objects to Exhibit 1064 as unauthenticated under FRE 901 and 902.

IX. Exhibit 1065 (TMS320C5509A Press Release)

Patent Owner objects to Exhibit 1065 as irrelevant under FRE 401-403 as a corporate press release is not relevant to any technical matters in dispute.

Patent Owner objects to Exhibit 1065 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exception.

Patent Owner objects to Exhibit 1065 as unauthenticated under FRE 901 and 902.

X. Exhibit 1066 (Modern Dictionary of Electronics)

Patent Owner objects to Exhibit 1066 as being incomplete under FRE 106.

Patent Owner objects to Exhibit 1066 as irrelevant under FRE 401-403 as consumer product brochures are irrelevant to any claim limitation.

Patent Owner objects to Exhibit 1066 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exception.

Patent Owner objects to Exhibit 1066 as unauthenticated under FRE 901 and 902.

XI. Exhibit 1070 (Walkman DAT)

Patent Owner objects to Exhibit 1070 as being incomplete under FRE 106 as portions of the document are cut off and not able to be viewed.

Patent Owner objects to Exhibit 1070 as irrelevant under FRE 401-403 as consumer product brochures are irrelevant to any claim limitation.

Patent Owner objects to Exhibit 1070 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exception.

Patent Owner objects to Exhibit 1070 as unauthenticated under FRE 901 and 902.

XII. Exhibit 1071 (RF105)

Patent Owner objects to Exhibit 1071 as being incomplete under FRE 106.

Patent Owner objects to Exhibit 1071 as irrelevant under FRE 401-403 as it is offered solely as general background information and includes no admissible evidence that it existed before the priority of any relevant patent or patent application.

Patent Owner objects to Exhibit 1071 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exception.

Patent Owner objects to Exhibit 1071 as unauthenticated under FRE 901 and 902.

XIII. Exhibit 1072 (RF109)

Patent Owner objects to Exhibit 1072 as being incomplete under FRE 106.

Patent Owner objects to Exhibit 1072 as irrelevant under FRE 401-403.

Patent Owner objects to Exhibit 1072 as inadmissible hearsay under FRE 801 and 802 that does not fall within any exception.

Patent Owner objects to Exhibit 1072 as unauthenticated under FRE 901 and 902.

XIV. Exhibit 1073 (Declaration of Christopher Kyriakakis)

Under 37 C.F.R. §§ 42.24 and 42.6(a)(3), and FRE 611, Exhibit 1073 functions as an improper vehicle for attorney argument that, if permissible at all, should have been included in Petitioner's Reply. Petitioner uses the declaration of Exhibit 1073 to introduce new arguments, new case citations, additional exhibits, and substantive advocacy – an evident attempt to circumvent the Reply's word-count limitation. Such argumentative material is not evidence, violates the prohibitions on incorporation by reference, and is inadmissible. The effort to circumvent word limits is further underscored by Petitioner's incorporation of Exhibit 1053, even though it does not appear in the Reply itself. Moreover, Mr. Kyriakakis offers legal conclusions that he is not qualified to render, further demonstrating that the challenged portions constitute attorney argument rather than admissible expert testimony. Thus, the Board should disregard or strike Exhibit 1073.

Patent Owner objects to Exhibit 1073 as irrelevant under FRE 401-403 as significant portions of the declaration address matter unrelated to any fact in dispute, including legal conclusions and new theories that go beyond the Petition.

Patent Owner objects to Exhibit 1073 as lack of personal knowledge by an expert under FRE 602.

Patent Owner objects to Exhibit 1073 as improper opinion testimony by a lay witness under FRE 701, as it offers opinions outside Mr. Kyriakakis' technical expertise.

Patent Owner objects to the Exhibit 1073 as inadmissible expert testimony under FRE 702 and 703, as the witness is not qualified to provide expert testimony and the declaration contains unreliable expert testimony unsupported by sufficient facts or reliable methodology and relies on inadmissible materials.

Patent Owner objects to Exhibit 1073 as failing to disclose underlying facts or data relied upon under FRE 705.

Patent Owner objects to Exhibit 1073 as inadmissible hearsay under FRE 801 and 802 and hearsay within hearsay under FRE 805, that does not fall within any exception.

Patent Owner objects to Exhibit 1073 as inadmissible summary under FRE 1006 due to improper summarization of certain experts' declarations.

Patent Owner objects to portions of Exhibit 1073 under 35 U.S.C. §§ 311, 314, and 316 because it has no relevance to the instituted grounds.

Patent Owner objects to portions of Exhibit 1073 under 37 C.F.R. § 42.6(a)(3) as the expert incorporates certain arguments by reference.

Date: December 8, 2025

Respectfully Submitted,

By: /Rita C. Chipperson/

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CERTIFICATE OF SERVICE

The undersigned certifies that on December 8, 2025, a complete and entire copy of the foregoing “PATENT OWNER’S OBJECTIONS TO PETITIONERS’ EVIDENCE SUBMITTED WITH PETITIONERS’ REPLY” is being served on the petitioners at the electronic addresses shown below per consent:

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