UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

PARTEC AG,
Patent Owner.

Case IPR2025-00318
Patent 11,537,442

PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE

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Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I. Introduction

Under the Federal Rules of Evidence ("FRE") and 37 C.F.R. § 42.64, ParTec AG ("Patent Owner") timely objects to evidence submitted by Microsoft Corporation ("Petitioner") in this proceeding. Patent Owner may move to exclude the challenged exhibits under 37 C.F.R. § 42.64(c) unless Petitioner provides evidence curing the objections identified by Patent Owner below.

II. Specific Objections

A. Exhibit 1003 - Declaration of Darrell Long

Patent Owner objects to this exhibit under FRE 701-705 and 802 because Darrell Long has not been made available for deposition, and Patent Owner reserves the right to raise any additional objections that become apparent from his deposition at that time if he is made available for deposition.

B. Exhibit 1005 – John R. Budenske et al., *A Method for the On-Line Use of Off-Line Derived Remappings of Iterative Automatic Target Recognition Tasks onto a Particular Class of Heterogeneous Parallel Platforms*, The Journal of Supercomputing, Vol. 12, No. 4 (Oct. 1998)

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced sufficient evidence sufficient to support a finding that the item is what the proponent claims it is, and (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

C. Exhibit 1007 – Yu-Kwong Kwok et al., *A Semi-Static Approach to Mapping Dynamic Iterative Tasks onto Heterogeneous Computing Systems, Journal of Parallel and Distributed Computing* (2005)

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced any evidence sufficient to support a finding that the item is what the

proponent claims it is, and (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

D. Exhibit 1008 – Mitchell D. Theys et al., *Mapping Tasks onto Distributed Heterogeneous Computing Systems Using a Genetic Algorithm Approach, Solutions to Parallel and Distributed Computing Problems* (A. Zomaya, F. Ercal & S. Olariu eds., 2001)

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced any evidence sufficient to support a finding that the item is what the proponent claims it is, and (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

E. Exhibit 1010 – Yuan-Chieh Chow and Walter H. Kohler, *Models for Dynamic Load Balancing in a Heterogeneous Multiple Processor System*, IEEE Transactions on Computers, Vol. C-28, No. 5 (May 1979)

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced any evidence sufficient to support a finding that the item is what the proponent claims it is, and (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

F. Exhibit 1011 – David M. Nicol and Paul F. Reynolds, Jr., *Optimal Dynamic Remapping of Data Parallel Computations*, IEEE Transactions on Computers, Vol. 39, No. 2 (Feb. 1990)

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced any evidence sufficient to support a finding that the item is what the proponent claims it is, and (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

G. Exhibit 1012 – Arun C. Murthy, et al., Apache Hadoop YARN (2014)

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced any evidence sufficient to support a finding that the item is what the proponent claims it is, and (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

H. Exhibit 1013 – Morris Jette and Mark Grondona, *SLURM: Simple Linux Utility for Resource Management*, ClusterWorld Conference and Expo

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced any evidence sufficient to support a finding that the item is what the proponent claims it is, and (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

I. Exhibit 1014 – Norbert Eicker et al., The DEEP Project: *An Alternative Approach to Heterogeneous Cluster-Computing in the Many-Core Era*, Concurrency and Computation: Practice and Experience (2016)

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced any evidence sufficient to support a finding that the item is what the proponent claims it is, and (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

J. Exhibit 1016 – Carsten Clauss et al., *Dynamic Process Management with Allocation- internal Co-Scheduling towards Interactive Supercomputing*, Proceedings of the First Workshop on Co-Scheduling of HPC Applications (2016)

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced any evidence sufficient to support a finding that the item is what the proponent claims it is, and (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

K. Exhibit 1017 – Declaration of Rachel J. Watters dated December 13, 2024

Patent Owner objects to this exhibit under FRE 701-705 and 802 because Rachel J. Watters has not been made available for deposition, and Patent Owner reserves the right to raise any additional objections that become apparent from her deposition at the time if she is made available for deposition. Patent Owner further objects to this exhibit to the extent that it addresses a different version of "A Method for the On-Line Use of Off-Line Derived Remappings of Iterative Automatic Target Recognition Tasks onto a Particular Class of Heterogeneous Parallel Platforms" than was submitted as Exhibit 1005 in this proceeding.

L. Exhibit 1018 – Samik Raychaudhuri, *Introduction to Monte Carlo Simulation*, Proceedings of the 2008 Winter Simulation Conference (2008)

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced any evidence sufficient to support a finding that the item is what the proponent claims it is, and (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

M. Exhibit 1019 – David W. Bauer, Jr. and Mojdeh Mohtashemi, *An Application of Parallel Monte Carlo Modeling for Real-Time Disease Surveillance*, Proceedings of the 2008 Winter Simulation Conference (2008)

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced any evidence sufficient to support a finding that the item is what the proponent claims it is, (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

N. Exhibit 1023 – N. Metropolis, *The Beginning of the Monte Carlo Method*, Los Alamos Science, Special Issue (1987)

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced any evidence sufficient to support a finding that the item is what the proponent claims it is, (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

O. Exhibit 1024 – U.S. District Court, Eastern District of Texas, Calendar Events Set for 4/1/2026-4/30/2026, Judge Robert W. Schroeder, III, Presiding

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced any evidence sufficient to support a finding that the item is what the proponent claims it is, (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

P. Exhibit 1025 – Time to Milestones Report, Judge Robert W. Schroeder, III, DocketNavigator, https://search.docketnavigator.com/patent/judge/15325/15?print=true

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced any evidence sufficient to support a finding that the item is what the proponent claims it is, (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

Q. Exhibit 1026 – Judge Schroeder Calendar Events June 15, 2026

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced any evidence sufficient to support a finding that the item is what the proponent claims it is, (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

R. Exhibit 1027 – Petitioner Sotera Stipulation

Patent Owner objects to this exhibit (a) under FRE 901 because Petitioner has not produced any evidence sufficient to support a finding that the item is what the proponent claims it is, (b) under FRE 802 as containing hearsay, and Petitioner has not identified any applicable hearsay exceptions.

Dated: July 22, 2025

Respectfully submitted,

By: */Michael F. Heim/*
Michael F. Heim (Reg. No. 32,702)
Attorney for Patent Owner
ParTec AG

CERTIFICATE OF SERVICE

The undersigned certifies that pursuant to 37 C.F.R. § 42.6(e), a copy of the foregoing PATENT OWNER'S OBJECTIONS TO PETITIONER'S EVIDENCE was served via email to lead and backup counsel of record for Petitioner as follows:

Lead Counsel for Petitioner	**Back-up Counsel for Petitioner**
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Dated: July 22, 2025

Respectfully submitted,

By: */Michael F. Heim/*
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