

Case No. IPR2025-01180
U.S. Patent No. 11,864,641

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

1LSS, INC.,
Patent Owner.

IPR2025-01180
Patent No. 11,864,641

**PATENT OWNER 1LSS, INC.'S FIRST SET OF OBJECTIONS TO
PETITIONER APPLE INC.'S EXHIBITS**

Pursuant to 37 C.F.R. § 42.64(b)(1), the undersigned, on behalf of and acting in a representative capacity for 1LSS, Inc. (“Patent Owner”), hereby submits the following objections to Petitioner Apple Inc.’s (“Petitioner”) Exhibits 1003, 1011, 1019-1026, and 1028-1035, and any reference to and/or reliance on the foregoing. Patent Owner’s objections below apply the Federal Rules of Evidence (“F.R.E.”) as required by 37 C.F.R. § 42.62.

I. OBJECTIONS TO EXHIBITS 1003, 1011, 1019-1026, AND 1028-1035 AND ANY REFERENCE TO AND/OR RELIANCE THEREON

Evidence objected to: Exhibits 1003, 1011, 1019-1026, and 1028-1035, and any reference to and/or reliance thereon.

Grounds for objection: F.R.E. 106 (“Remainder of or Related Writings or Recorded Statements”); F.R.E. 401 (“Test for Relevant Evidence”); F.R.E. 402 (“General Admissibility of Relevant Evidence”); F.R.E. 403 (“Excluding Relevant Evidence for Prejudice, Confusion, Waste of Time, or Other Reasons”); F.R.E. 702 (“Testimony by Expert Witness”); F.R.E. 703 (“Bases of an Expert’s Opinion Testimony”); F.R.E. 704 (“Opinion on an Ultimate Issue”); F.R.E. 705 (“Disclosing the Facts or Data Underlying an Expert’s Opinion”); 37 C.F.R. § 42.65 (“Expert Testimony; Tests and Data”); F.R.E. 801 (“Definitions That Apply to This Article; Exclusions from Hearsay”); F.R.E. 802 (“The Rule Against Hearsay”); F.R.E. 901 (“Authenticating or Identifying Evidence”).

A. Exhibits 1020, 1021, 1024, 1025, and 1026 are Hearsay

Exhibits 1020, 1021, 1024, 1025, and 1026 are out-of-court statements offered into evidence by Petitioner to prove the truth of the matters asserted therein. Petitioner has not identified any hearsay exception that applies to these exhibits. Accordingly, they are in violation of F.R.E. 801-802.

B. Exhibits 1020, 1021, 1024, 1025, and 1026 are Unauthenticated

Petitioner has not provided any evidence to authenticate Exhibits 1020, 1021, 1024, 1025, and 1026 in violation of F.R.E. 901.

C. Exhibits 1003 and 1034 Lack Foundation

Exhibit 1003 - Dr. Phinney's testimony regarding the validity of the '641 patent claims and a person of ordinary skill's motivation to combine prior art references to disclose the inventions claimed in the '641 patent, including how prior art devices could be combined, why prior art devices would be combined, any reasonable expectation of success, and the function of combined prior art devices (*see, e.g.*, ¶¶ 66-68, 146-148, 150, 152-153, 155, 159-160, 241-242, 248-251, 258-259, 263-264, 265-270, 272-279, 296-298, 347, 352, 357-359, 364-367, 393-397, 421, 424, 427, 432-433, 436)), is not based on sufficient facts, data, or scientific evidence, rendering his testimony on these matters improper and inadmissible pursuant to at least F.R.E. 702 and 37 C.F.R. § 42.65.

Exhibit 1034 – Mr. Tang’s testimony regarding Exhibits 1020-1022 and 1024-1025 lacks sufficient knowledge regarding the authenticity and accuracy of these exhibits. Mr. Tang has not demonstrated that he possesses first-hand knowledge, experience, or perceptions regarding these exhibits and states that his knowledge is based only on his “information and belief” without any evidence that what he believes to be true is true, rendering his testimony on these matters improper and inadmissible pursuant to at least F.R.E. 601-602 and 701-702, and 37 C.F.R. § 42.65.

D. Exhibits 1011, 1019-1026, 1028-1032, 1034 and 1035 are Irrelevant

Exhibits 1011, 1019-1026, 1028-1032, 1034 and 1035 are not cited in the Petition. Accordingly, they are not relevant to any ground on which this IPR was instituted and, if admitted, their minimal probative value would be substantially outweighed by the unfair prejudice they would cause, the confusing and misleading nature of the materials, the undue delay upon these proceedings, and the waste of time that would ensue, in violation of F.R.E. 401-403. Moreover, any attempt by Petitioner to rely on these exhibits by citing its expert’s declaration constitute improper incorporation by reference, in violation of 37 C.F.R. § 42.6(a)(3) and 37 C.F.R. § 42.22(a)(2).

Exhibit 1003 - Dr. Phinney's testimony regarding the cited references are not relied on in any ground and describe a different wallet architecture (*see, e.g.*, ¶¶ 40-52). As such, this testimony is irrelevant.

E. Exhibit 1033 is Incomplete

Exhibit 1033 appears to be an excerpt from a book. Any reference to and/or reliance on Exhibit 1033 by Petitioner in this proceeding is incomplete, misleading, and unfairly prejudicial, in violation of F.R.E. 106 and 403.

DATED: January 30, 2026



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CERTIFICATE OF SERVICE

I certify that the **PATENT OWNER 1LSS, INC.’S FIRST SET OF
OBJECTIONS TO PETITIONER APPLE INC.’S EXHIBITS** in connection
with Inter Partes Review Case IPR2025-01180 was served on January 30, 2026 by
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