

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS
AMERICA, INC., FOSSIL GROUP, INC., FOSSIL STORES I, INC., FOSSIL
PARTNERS, L.P., OURA HEALTH OY, AND ONEPLUS TECHNOLOGY
(SHENZHEN) CO., LTD.,

Petitioners,

v.

OMNI MEDSCI, INC.,
Patent Owner

Patent No. 10,874,304

Case No. IPR2025-01251

PATENT OWNER'S OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner hereby submits objections to evidence served by Petitioners with the Petition (Paper 1) and their Opposition to Patent Owner's Discretionary Denial Brief (Paper 13). Patent Owner's objections are due within ten business days of institution, i.e., by February 18, 2026. *See* 37 C.F.R. § 42.64(b)(1); Paper 18. Thus, Patent Owner's evidence objections are timely. As set forth herein, Patent Owner identifies the evidence objected to and summarizes the objections, including the Federal Rules of Evidence ("FRE" or "FED. R. EVID.") or other rules that form the basis for the objections.

I. Ex. 1003 – Declaration of Brian Anthony

Patent Owner objects to Ex. 1003 to the extent it incorporates or references Ex. 1004, Ex. 1010, or Ex. 1083, which Patent Owner objects to below as inadmissible evidence. For example, Patent Owner objects to paragraphs 9-11, 40, 43, 51, 56-57, 59, 92-95, 97-98, 100, 107, 110, 112-114, 116-117, 122-123, 125-128, 130, 132, 135, 138, 140, 144-145, 148, 150, 154-155, 157, 162, 164, 166, 168, 176-177, 214-215, 218, 238, 254-255, 324, 326-329, 336, 339-340, 347-350, 355-356, 374-380, 388-389, and 396-397 of Ex. 1003 that purport to incorporate by reference Ex. 1004 or Ex. 1010, which are inadmissible evidence. Additionally, such incorporation by reference is prohibited under the Board's rules. *See, e.g.*, 37 C.F.R. § 42.6.

Patent Owner objects to Ex. 1003 to the extent it incorporates or otherwise

references any exhibits Patent Owner has objected to as inadmissible evidence herein.

Patent Owner objects to Ex. 1003 as hearsay being offered for a hearsay purpose and to which no valid exception applies. FED. R. EVID. 801-807, 901-902. Patent Owner also objects to Ex. 1003 as lacking foundation, assuming facts not in evidence, containing testimony on matters as to which the witness lacks personal knowledge and as being conclusory. Ex. 1003 is objected to under FRE 702 for failing to demonstrate that the declarant is qualified as an expert in the relevant subject matter. Ex. 1003 is further objected to under FRE 702(b)-(d) as failing to be based upon sufficient facts or data, as the product of unreliable principles and methods and for failing to reliably apply sound principles and methods to the facts of the case. Ex. 1003 is further objected because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

Patent Owner objects to Appendix A of Ex. 1003 because it does not comply with the Board's rules governing the form of evidence. 37 C.F.R. § 42.63. Combined documents are not permitted. 37 C.F.R. § 42.63(d); 37 C.F.R. § 42.63(a)(3).

II. Ex. 1004 – Declaration of Brian Anthony (IPR2019-00916)

Patent Owner objects to Ex. 1004 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-

902; *Unified Patents Inc. v. Sound View Innovations, LLC*, IPR2018-00599, Paper 50 at 51 (PTAB Sep. 9, 2019); *ABS Global, Inc. v. XY, LLC*, IPR2018-01224, Paper 28 at 18 (PTAB Dec. 9, 2018). Patent Owner objects to Ex. 1004 as not authenticated. FED. R. EVID. 901-902. Petitioners provide no authenticating declaration explaining what Ex. 1004 is, how it was acquired, or how it was made. *See* Ex. 1084.

Patent Owner also objects to Ex. 1004 as lacking foundation, assuming facts not in evidence, containing testimony on matters as to which the witness lacks personal knowledge and as being conclusory. Ex. 1004 is objected to under FRE 702 for failing to demonstrate that the declarant is qualified as an expert in the relevant subject matter. Ex. 1004 is further objected to under FRE 702(b)-(d) as failing to be based upon sufficient facts or data, as the product of unreliable principles and methods and for failing to reliably apply sound principles and methods to the facts of the case. Ex. 1004 is further objected to under 37 CFR § 42.65 for failing to disclose the underlying facts or data on which the opinions are based. Ex. 1004 is further objected to because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. *See* FED. R. EVID. 401-403.

Patent Owner objects to Ex. 1004 because it incorporates, cites, discusses or otherwise references exhibits from a different proceeding that have not been

submitted in this proceeding and are not admissible evidence. *See* FED. R. EVID. 106, 401-403, 702, 801-807, 901-902. For example, Ex. 1004 cites to at least the following exhibits from IPR2019-00916 that are not of record in this proceeding: Exhibits 1002, 1004, 1006, 1007, 1008, 1010, 1014, 1015, 1016, 1017, 1018, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1036, 1041, 1042, 1046, 1047, 1048, 1049, 1050, 1051, and 1052. At least the following paragraphs of Ex. 1004 cite one or more of these exhibits from IPR2019-00916: 31, 32, 48, 49, 50, 51, 52, 53, 54, 55, 62, 64, 69, 190, 191, 193, 194, 198, 200, 202, and 203.

Patent Owner objects to Ex. 1004 to the extent it incorporates or otherwise references any exhibits Patent Owner has objected to as inadmissible evidence herein.

III. Ex. 1005 - Petition from IPR2019-00916

Patent Owner objects to Ex. 1005 as hearsay being offered for a hearsay purpose and to which no valid exception applies. FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1005 as not authenticated. FED. R. EVID. 901-902. Petitioners provide no authenticating declaration explaining what Ex. 1005 is, how it was acquired, or how it was made. *See* Ex. 1084. Patent Owner objects to Ex. 1005 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact

finder. FED. R. EVID. 401-403.

IV. Ex. 1006 – Patent Owner Response from IPR2019-00916

Patent Owner objects to Ex. 1006 as hearsay being offered for a hearsay purpose and to which no valid exception applies. FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1006 as not authenticated. FED. R. EVID. 901-902. Petitioners provide no authenticating declaration explaining what Ex. 1006 is, how it was acquired, or how it was made. *See* Ex. 1084. Patent Owner objects to Ex. 1006 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

V. Ex. 1007 – Institution Decision from IPR2019-00916

Patent Owner objects to Ex. 1007 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

VI. Ex. 1008 – Final Written Decision from IPR2019-00916

Patent Owner objects to Ex. 1008 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

VII. Ex. 1010 – Declaration of Brian Anthony (IPR2021-00453)

Patent Owner objects to Ex. 1010 as hearsay being offered for a hearsay

purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902; *Unified Patents Inc. v. Sound View Innovations, LLC*, IPR2018-00599, Paper 50 at 51 (PTAB Sep. 9, 2019); *ABS Global, Inc. v. XY, LLC*, IPR2018-01224, Paper 28 at 18 (PTAB Dec. 9, 2018). Patent Owner objects to Ex. 1010 as not authenticated. FED. R. EVID. 901-902. Petitioners provide no authenticating declaration explaining what Ex. 1010 is, how it was acquired, or how it was made. *See* Ex. 1084.

Patent Owner also objects to Ex. 1010 as lacking foundation, assuming facts not in evidence, containing testimony on matters as to which the witness lacks personal knowledge and as being conclusory. Ex. 1010 is objected to under FRE 702 for failing to demonstrate that the declarant is qualified as an expert in the relevant subject matter. Ex. 1010 is further objected to under FRE 702(b)-(d) as failing to be based upon sufficient facts or data, as the product of unreliable principles and methods and for failing to reliably apply sound principles and methods to the facts of the case. Ex. 1010 is further objected to because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. *See* FED. R. EVID. 401-403.

Patent Owner objects to Ex. 1010 because it incorporates, cites, discusses or otherwise references exhibits from a different proceeding that have not been submitted in this proceeding and are not admissible evidence. *See* FED. R. EVID.

106, 401-403, 702, 801-807, 901-902. For example, Ex. 1010 cites to at least the following exhibits from IPR2021-00453 that are not of record in this proceeding: Exhibits 1002, 1007, 1008, 1010, 1015, 1020, 1021, 1022, 1023, 1024, 1027, 1029, 1031, 1032, and 1063. At least the following paragraphs of Ex. 1010 cite one or more of these exhibits from IPR2021-00453: 30-31, 48-55, 69, 214, 218, 227, 231, 233-234, 236-237, 242-243, 245-246, 248-252, 255-256, 265, 267-268, and 272.

Patent Owner objects to Ex. 1010 to the extent it incorporates or otherwise references any exhibits Patent Owner has objected to as inadmissible evidence herein.

VIII. Ex. 1011 – Petition from IPR2021-00453

Patent Owner objects to Ex. 1011 as hearsay being offered for a hearsay purpose and to which no valid exception applies. FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1011 as not authenticated. FED. R. EVID. 901-902. Petitioners provide no authenticating declaration explaining what Ex. 1011 is, how it was acquired, or how it was made. *See* Ex. 1084. Patent Owner objects to Ex. 1011 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

IX. Ex. 1012 – Patent Owner Response from IPR2021-00453

Patent Owner objects to Ex. 1012 as hearsay being offered for a hearsay

purpose and to which no valid exception applies. FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1012 as not authenticated. FED. R. EVID. 901-902. Petitioners provide no authenticating declaration explaining what Ex. 1012 is, how it was acquired, or how it was made. *See* Ex. 1084. Patent Owner objects to Ex. 1012 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

X. Ex. 1013 – Institution Decision from IPR2021-00453

Patent Owner objects to Ex. 1013 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XI. Ex. 1014 – Petitioner Reply from IPR2021-00453

Patent Owner objects to Ex. 1014 as hearsay being offered for a hearsay purpose and to which no valid exception applies. FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1014 as not authenticated. FED. R. EVID. 901-902. Petitioners provide no authenticating declaration explaining what Ex. 1014 is, how it was acquired, or how it was made. *See* Ex. 1084. Patent Owner objects to Ex. 1014 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XII. Ex. 1015 – Final Written Decision from IPR2021-00453

Patent Owner objects to Ex. 1015 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XIII. Ex. 1016 – Final Written Decision on Remand from IPR2021-00453

Patent Owner objects to Ex. 1016 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XIV. Ex. 1018 – Claim Construction Order

Patent Owner objects to Ex. 1018 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XV. Ex. 1019 – Claim Construction Order

Patent Owner objects to Ex. 1019 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XVI. Ex. 1020 – 2nd Amended Docket Control Order

Patent Owner objects to Ex. 1020 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XVII. Ex. 1023 – Invalidity Contentions

Patent Owner objects to Ex. 1023 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1023 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XVIII. Ex. 1037 – Schubert Textbook

Patent Owner objects to Ex. 1037 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1037 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Patent Owner objects to Ex. 1037 under FRE 106 because Ex. 1037 contains only excerpts of the writing; the remaining portions of Ex. 1037 in fairness ought to be considered at the same time as the excerpted portions. FED. R. EVID. 106. Patent Owner further objects to Ex. 1037 because Petitioners have not established that it qualifies as prior art.

XIX. Ex. 1038 – Biomedical Engineering Handbook

Patent Owner objects to Ex. 1038 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-

902. Patent Owner objects to Ex. 1038 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Patent Owner objects to Ex. 1038 under FRE 106 because Ex. 1038 contains only excerpts of the writing; the remaining portions of Ex. 1038 in fairness ought to be considered at the same time as the excerpted portions. FED. R. EVID. 106. Patent Owner further objects to Ex. 1038 because Petitioners have not established that it qualifies as prior art.

XX. Ex. 1081 – U.S. Patent No. 9,651,533

Patent Owner objects to Ex. 1081 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1081 is not cited in the Petition.

XXI. Ex. 1082 – U.S. Patent No. 10,517,484

Patent Owner objects to Ex. 1082 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1082 is not cited in the Petition.

XXII. Ex. 1083 – Declaration of Brian Anthony (IPR2019-00914)

Patent Owner objects to Ex. 1083 as hearsay being offered for a hearsay

purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902; *Unified Patents Inc. v. Sound View Innovations, LLC*, IPR2018-00599, Paper 50 at 51 (PTAB Sep. 9, 2019); *ABS Global, Inc. v. XY, LLC*, IPR2018-01224, Paper 28 at 18 (PTAB Dec. 9, 2018). Patent Owner objects to Ex. 1083 as not authenticated. FED. R. EVID. 901-902. Petitioners provide no authenticating declaration explaining what Ex. 1083 is, how it was acquired, or how it was made. *See* Ex. 1084.

Patent Owner also objects to Ex. 1083 as lacking foundation, assuming facts not in evidence, containing testimony on matters as to which the witness lacks personal knowledge and as being conclusory. Ex. 1083 is objected to under FRE 702 for failing to demonstrate that the declarant is qualified as an expert in the relevant subject matter. Ex. 1083 is further objected to under FRE 702(b)-(d) as failing to be based upon sufficient facts or data, as the product of unreliable principles and methods and for failing to reliably apply sound principles and methods to the facts of the case. Ex. 1083 is further objected to because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. *See* FED. R. EVID. 401-403. Ex. 1083 concerns IPR2019-00914 challenging U.S. Patent No. 9,861,286, and this patent is not of record in this proceeding.

Patent Owner objects to Ex. 1083 because it incorporates, cites, discusses or

otherwise references exhibits from a different proceeding that have not been submitted in this proceeding and are not admissible evidence. *See* FED. R. EVID. 106, 401-403, 702, 801-807, 901-902. For example, Ex. 1083 cites to at least the following exhibits from IPR2019-00914 that are not of record in this proceeding: Exhibits 1001, 1002, 1004, 1006, 1007, 1008, 1010, 1014, 1015, 1016, 1017, 1018, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1036, 1041, 1042, 1046, 1047, 1048, 1049, 1050, 1051, and 1052. At least the following paragraphs of Ex. 1010 cite one or more of these exhibits from IPR2019-00914: 1, 30-33, 36, 48-55, 57-58, 61, 63, 65, 69-71, 89, 104-105, 107, 109, 112, 168, 170-171, 175, 183-186, 188-198, 200-203, and 205-209.

Patent Owner objects to Ex. 1083 to the extent it incorporates or otherwise references any exhibits Patent Owner has objected to as inadmissible evidence herein.

XXIII. Ex. 1084 – Declaration of Jonathan Bradford

Patent Owner objects to Ex. 1084 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1084 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Patent Owner further objects to Ex. 1084 as lacking foundation, assuming facts not in evidence,

containing testimony on matters as to which the witness lacks personal knowledge, and as being conclusory. FED. R. EVID. 602, 701-703. Patent Owner objects to Ex. 1084 to the extent it incorporates or otherwise references any exhibits Patent Owner has objected to as inadmissible evidence herein.

XXIV. Ex. 1085 – Patent Owner Preliminary Response from IPR2019-00916

Patent Owner objects to Ex. 1085 as hearsay being offered for a hearsay purpose and to which no valid exception applies. FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1085 as not authenticated. FED. R. EVID. 901-902. Petitioners provide no authenticating declaration explaining what Ex. 1085 is, how it was acquired, or how it was made. *See* Ex. 1084. Patent Owner objects to Ex. 1085 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403.

XXV. Ex. 1086 – IPR2025-01253 (Paper 6)

Patent Owner objects to Ex. 1086 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1086 as not authenticated. FED. R. EVID. 901-902. Petitioners provide no authenticating declaration explaining what Ex. 1086 is, how it was acquired, or how it was made. *See* Ex. 1117. Patent Owner objects to Ex.

1086 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1086 is not cited in the Petition. Ex. 1086 concerns IPR2025-01253 challenging U.S. Patent No. 12,193,790, and this patent is not cited in the Petition.

XXVI. Ex. 1087 – IPR2025-01254 (Paper 6)

Patent Owner objects to Ex. 1087 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1087 as not authenticated. FED. R. EVID. 901-902. Petitioners provide no authenticating declaration explaining what Ex. 1087 is, how it was acquired, or how it was made. *See* Ex. 1117. Patent Owner objects to Ex. 1087 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1087 is not cited in the Petition. Ex. 1087 concerns IPR2025-01254 challenging U.S. Patent No. 12,268,475, and this patent is not cited in the Petition.

XXVII. Ex. 1091 – IPR2021-00453 Notice of Appeal

Patent Owner objects to Ex. 1091 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1091 as not authenticated. FED. R. EVID. 901-

902. Petitioners provide no authenticating declaration explaining what Ex. 1091 is, how it was acquired, or how it was made. *See* Ex. 1117. Patent Owner objects to Ex. 1091 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1091 is not cited in the Petition.

XXVIII. Ex. 1092 – Petition from IPR2025-01249

Patent Owner objects to Ex. 1092 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1092 as not authenticated. FED. R. EVID. 901-902. Petitioners provide no authenticating declaration explaining what Ex. 1092 is, how it was acquired, or how it was made. *See* Ex. 1117. Patent Owner objects to Ex. 1092 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1092 is not cited in the Petition. Ex. 1092 concerns IPR2025-01249 challenging U.S. Patent No. 9,055,868, and this patent is not cited in the Petition.

XXIX. Ex. 1093 – Petition from IPR2025-01250

Patent Owner objects to Ex. 1093 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1093 as not authenticated. FED. R. EVID. 901-

902. Petitioners provide no authenticating declaration explaining what Ex. 1093 is, how it was acquired, or how it was made. *See* Ex. 1117. Patent Owner objects to Ex. 1093 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1093 is not cited in the Petition.

XXX. Ex. 1095 – Petition from IPR2025-01252

Patent Owner objects to Ex. 1095 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1095 as not authenticated. FED. R. EVID. 901-902. Petitioners provide no authenticating declaration explaining what Ex. 1095 is, how it was acquired, or how it was made. *See* Ex. 1117. Patent Owner objects to Ex. 1095 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1095 is not cited in the Petition. Ex. 1095 concerns IPR2025-01252 challenging U.S. Patent No. 11,160,455, and this patent is not cited in the Petition.

XXXI. Ex. 1096 – Petition from IPR2025-01254

Patent Owner objects to Ex. 1096 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1096 as not authenticated. FED. R. EVID. 901-

902. Petitioners provide no authenticating declaration explaining what Ex. 1096 is, how it was acquired, or how it was made. *See* Ex. 1117. Patent Owner objects to Ex. 1096 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1096 is not cited in the Petition. Ex. 1096 concerns IPR2025-01254 challenging U.S. Patent No. 12,268,475, and this patent is not cited in the Petition.

XXXII. Ex. 1097 – Petition from IPR2025-01253

Patent Owner objects to Ex. 1097 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1097 as not authenticated. FED. R. EVID. 901-902. Petitioners provide no authenticating declaration explaining what Ex. 1097 is, how it was acquired, or how it was made. *See* Ex. 1117. Patent Owner objects to Ex. 1097 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1097 is not cited in the Petition. Ex. 1097 concerns IPR2025-01253 challenging U.S. Patent No. 12,193,790, and this patent is not cited in the Petition.

XXXIII. Ex. 1098 – Email Correspondence

Patent Owner objects to Ex. 1098 as hearsay being offered for a hearsay

purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1098 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1098 is not cited in the Petition.

XXXIV. Ex. 1099 – U.S. Patent No. 9,055,868

Patent Owner objects to Ex. 1099 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1099 is not cited in the Petition.

XXXV. Ex. 1101 – U.S. Patent No. 11,160,455

Patent Owner objects to Ex. 1101 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1101 is not cited in the Petition.

XXXVI. Ex. 1102 – U.S. Patent No. 12,193,790

Patent Owner objects to Ex. 1102 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1102 is not cited in the Petition.

XXXVII. Ex. 1103 – U.S. Patent No. 12,268,475

Patent Owner objects to Ex. 1103 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1103 is not cited in the Petition.

XXXVIII. Ex. 1104 – Final Written Decision from IPR2020-00175

Patent Owner objects to Ex. 1104 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1104 is not cited in the Petition. Ex. 1104 concerns IPR2020-00175 challenging U.S. Patent No. 10,188,299, and this patent is not of record in this proceeding.

XXXIX. Ex. 1105 – Fed. Cir. Affirmance from IPR2020-00175

Patent Owner objects to Ex. 1105 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1105 is not cited in the Petition. Ex. 1105 concerns IPR2020-00175 challenging U.S. Patent No. 10,188,299, and this patent is not of record in this proceeding.

XL. Ex. 1106 – Institution Decision from IPR2020-00029

Patent Owner objects to Ex. 1106 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair

prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1106 is not cited in the Petition. Ex. 1106 concerns IPR2020-00029 challenging U.S. Patent No. 10,098,546, and this patent is not of record in this proceeding.

XLI. Ex. 1107 – Institution Decision from IPR2019-00914

Patent Owner objects to Ex. 1107 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1107 is not cited in the Petition. Ex. 1107 concerns IPR2019-00914 challenging U.S. Patent No. 9,861,286, and this patent is not of record in this proceeding.

XLII. Ex. 1108 – Institution Decision from IPR2019-00917

Patent Owner objects to Ex. 1108 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1108 is not cited in the Petition. Ex. 1108 concerns IPR2019-00917 challenging U.S. Patent No. 9,757,040, and this patent is not of record in this proceeding.

XLIII. Ex. 1110 – Case Statistics

Patent Owner objects to Ex. 1110 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1110 is not cited in the Petition.

XLIV. Ex. 1111 – EDTX Statistics

Patent Owner objects to Ex. 1111 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1111 is not cited in the Petition.

XLV. Ex. 1112 – Joint Motion for Trial Setting

Patent Owner objects to Ex. 1112 as hearsay offered for a hearsay purpose and to which no valid exception applies. FED. R. EVID. 801-807. Patent Owner objects to Ex. 1112 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1112 is not cited in the Petition.

XLVI. Ex. 1113 – Common Interrogatories

Patent Owner objects to Ex. 1113 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1113 is not cited in the Petition.

XLVII. Ex. 1115 – OnePlus Waiver of Service

Patent Owner objects to Ex. 1115 as hearsay offered for a hearsay purpose and to which no valid exception applies. FED. R. EVID. 801-807. Patent Owner

objects to Ex. 1115 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1115 is not cited in the Petition.

XLVIII. Ex. 1116 – Motion to Stay

Patent Owner objects to Ex. 1116 as hearsay offered for a hearsay purpose and to which no valid exception applies. FED. R. EVID. 801-807. Patent Owner objects to Ex. 1116 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1116 is not cited in the Petition.

XLIX. Ex. 1117 – Declaration of James Nowell

Patent Owner objects to Ex. 1117 as hearsay offered for a hearsay purpose and to which no valid exception applies. FED. R. EVID. 801-807. Patent Owner objects to Ex. 1117 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1117 is not cited in the Petition. Patent Owner further objects to Ex. 1117 as lacking foundation, assuming facts not in evidence, containing testimony on matters as to which the witness lacks personal knowledge, and as being conclusory. FED. R. EVID. 602, 701-703. Patent

Owner objects to Ex. 1117 to the extent it incorporates or otherwise references any exhibits Patent Owner has objected to as inadmissible evidence herein.

L. Ex. 1118 – Defendants' Preliminary Proposed Constructions

Patent Owner objects to Ex. 1118 as hearsay offered for a hearsay purpose and to which no valid exception applies. FED. R. EVID. 801-807. Patent Owner objects to Ex. 1118 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1118 is not cited in the Petition.

LI. Ex. 1119 – EDTX Local Patent Rules

Patent Owner objects to Ex. 1119 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1119 is not cited in the Petition.

LII. Ex. 1120 – Email Correspondence

Patent Owner objects to Ex. 1120 as hearsay being offered for a hearsay purpose and to which no valid exception applies. *See* FED. R. EVID. 801-807, 901-902. Patent Owner objects to Ex. 1120 because it is not sufficiently relevant, and any relevance is outweighed by the risks of confusion, substantial danger of unfair prejudice, and/or misleading the fact finder. FED. R. EVID. 401-403. Ex. 1120 is

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not cited in the Petition.

Respectfully submitted,

Dated: February 18, 2026

By: /s/ Jennifer Hayes

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Lead Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Patent Owner's Objections to Evidence** was served on February 18, 2026, by email:

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