UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMAZON.COM SERVICES LLC,
Petitioner,

v.

SMART SPEAKER LLC,
Patent Owner.

Patent No. 11,128,710

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Inter Partes Review No. IPR2026-00145

PETITIONER'S OBJECTIONS TO PRE-INSTITUTION EVIDENCE

Amazon.com Services LLC ("Petitioner") hereby objects to the following evidence that was submitted by Smart Speaker LLC ("Patent Owner") with its Patent Owner Preliminary Response (Paper 9) in the above-captioned proceeding. In accordance with 37 C.F.R. § 42.64(b)(1), Petitioner is filing and serving these objections within 10 business days of the institution of trial on April 28, 2026, *see* Decision, Paper 13.

A. **EX2001** Plaintiff's Disclosure of Asserted Claims and Infringement Contentions in Smart Speaker LLC v. Amazon.com Servs. LLC, Case No. 2:25-cv-00707-JRG (E.D. Tex.), dated September 16, 2025

Petitioner objects to Exhibit 2001 as being irrelevant and/or unduly prejudicial under FRE 401-403. Petitioner objects to this exhibit as containing hearsay to the extent that Patent Owner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802.

Petitioner objects to the portions of this exhibit not discussed or cited in the POPR, as not being relevant to any issue on which trial has been instituted. Additionally, if the objected to material was not discussed or cited in the POPR, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. In particular, Patent Owner lists Exhibit 2001 as an exhibit to the POPR but does not cite or discuss any

specific content within Exhibit 2001. Accordingly, the entirety of Exhibit 2001 is objected to as not being relevant to any issue in this proceeding.

B. **EX2002** Defendant's Invalidity and Subject Matter Eligibility Contentions in Smart Speaker LLC v. Amazon.com Servs. LLC, Case No. 2:25-cv-00707-JRG (E.D. Tex.), dated December 9, 2025

Petitioner objects to Exhibit 2002 as being irrelevant and/or unduly prejudicial under FRE 401-403. Petitioner objects to this exhibit as lacking foundation under FRE 901. Petitioner objects to this exhibit as containing hearsay to the extent that Patent Owner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802.

Petitioner objects to the portions of this exhibit not discussed or cited in the POPR, as not being relevant to any issue on which trial has been instituted. Additionally, if the objected to material was not discussed or cited in the POPR, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. In particular, Patent Owner lists Exhibit 2002 as an exhibit to the POPR but does not cite or discuss any specific content within Exhibit 2002. Accordingly, the entirety of Exhibit 2002 is objected to as not being relevant to any issue in this proceeding.

C. **EX2003** Federal Register, Vol. 90, No. 199, dated Friday, October 17, 2025

Petitioner objects to Exhibit 2003 as being irrelevant and/or unduly prejudicial under FRE 401-403. Petitioner objects to this exhibit as lacking foundation under FRE 901.

Petitioner objects to the portions of this exhibit not discussed or cited in the POPR, as not being relevant to any issue on which trial has been instituted. Additionally, if the objected to material was not discussed or cited in the POPR, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. In particular, Patent Owner lists Exhibit 2003 as an exhibit to the POPR but does not cite or discuss any specific content within Exhibit 2003. Accordingly, the entirety of Exhibit 2003 is objected to as not being relevant to any issue in this proceeding.

D. **EX2004** Second Amended Docket Control Order (Dkt. 33) in Smart Speaker LLC v. Amazon.com Servs. LLC, Case No. 2:25-cv-00707-JRG (E.D. Tex.), dated October 29, 2025

Petitioner objects to Exhibit 2004 as being irrelevant and/or unduly prejudicial under FRE 401-403. Petitioner objects to this exhibit as lacking foundation under FRE 901. Petitioner objects to this exhibit as containing hearsay to the extent that Patent Owner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802.

Petitioner objects to the portions of this exhibit not discussed or cited in the POPR, as not being relevant to any issue on which trial has been instituted. Additionally, if the objected to material was not discussed or cited in the POPR, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. In particular, Patent Owner lists Exhibit 2004 as an exhibit to the POPR but does not cite or discuss any specific content within Exhibit 2004. Accordingly, the entirety of Exhibit 2004 is objected to as not being relevant to any issue in this proceeding.

E. **EX2005** Letter to Amazon.com, Inc. re May Patents Ltd. Patent Portfolio, dated July 23, 2024

Petitioner objects to Exhibit 2005 as being irrelevant and/or unduly prejudicial under FRE 401-403. Petitioner objects to this exhibit as lacking foundation and lacking authentication under FRE 901. Petitioner objects to this exhibit as containing hearsay to the extent that Patent Owner attempts to rely on it to prove the truth of any matter described therein under FRE 801 and FRE 802. For example, Patent Owner fails to offer any evidence that this exhibit is what Patent Owner claims it to be.

Petitioner objects to the portions of this exhibit not discussed or cited in the POPR, as not being relevant to any issue on which trial has been instituted.

Additionally, if the objected to material was not discussed or cited in the POPR, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. In particular, Patent Owner lists Exhibit 2005 as an exhibit to the POPR but does not cite or discuss any specific content within Exhibit 2005. Accordingly, the entirety of Exhibit 2005 is objected to as not being relevant to any issue in this proceeding.

F. **EX2006** Appeal Statistics, Patent Trial and Appeal Board, dated October 31, 2025

Petitioner objects to Exhibit 2006 as being irrelevant and/or unduly prejudicial under FRE 401-403. Petitioner objects to this exhibit as lacking foundation under FRE 901.

Petitioner objects to the portions of this exhibit not discussed or cited in the POPR, as not being relevant to any issue on which trial has been instituted. Additionally, if the objected to material was not discussed or cited in the POPR, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. In particular, Patent Owner lists Exhibit 2006 as an exhibit to the POPR but does not cite or discuss any

specific content within Exhibit 2006. Accordingly, the entirety of Exhibit 2006 is objected to as not being relevant to any issue in this proceeding.

G. EX2007 Patent Trial and Appeals Board (PTAB) data at a glance December 2025

Petitioner objects to Exhibit 2007 as being irrelevant and/or unduly prejudicial under FRE 401-403. Petitioner objects to this exhibit as lacking foundation under FRE 901.

Petitioner objects to the portions of this exhibit not discussed or cited in the POPR, as not being relevant to any issue on which trial has been instituted. Additionally, if the objected to material was not discussed or cited in the POPR, Petitioner has had no fair opportunity to respond to Patent Owner's unstated contentions (if any) regarding the same. Such information is irrelevant, and its consideration would be unfairly prejudicial to Petitioner. In particular, Patent Owner lists Exhibit 2007 as an exhibit to the POPR but does not cite or discuss any specific content within Exhibit 2007. Accordingly, the entirety of Exhibit 2007 is objected to as not being relevant to any issue in this proceeding.

Dated: May 12, 2026

Respectfully submitted,

By: /s/ Yunan Yuan
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Certificate of Service (37 C.F.R. § 42.6(e)(4))

I hereby certify that the attached PETITIONER'S OBJECTIONS TO PRE-INSTITUTION EVIDENCE was served as of the below date via e-mail (by agreement) to the following counsel of record for the Patent Owner:

Peter Lambrianakos
Vincent J. Rubino, III
Clark Gordon
Ryan F. Oliver
ptab@fabricantllp.com

Dated: May 12, 2026

/s/ Yunan Yuan
Yunan Yuan