

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PARROT S.A. and PARROT, INC.
Petitioners

v.

DRONE TECHNOLOGIES, INC.
Patent Owner

Case IPR2014-00732
Patent 8,106,748

**PATENT OWNER'S MOTION TO EXCLUDE DECLARATION OF DR.
RAFFAELLO D'ANDREA [EXHIBIT 1011]**

EXHIBIT LIST

Exhibit No.	Description	Date Filed
1001	U.S. Patent 8,106,748	5/6/2014
1002	U.S. Patent 5,043,646	5/6/2014
1003	French Patent No. 2789765	5/6/2014
1004	Certified Translation of French Patent No. 2789765	5/6/2014
1005	U.S. Publication No. 2006/0144994	5/6/2014
1006	<i>Exhibit Intentionally Left Blank</i>	n/a
1007	U.S. Patent No. 7,219,861	5/6/2014
1008	U.S. Patent No. 6,751,529	5/6/2014
1009	U.S. Patent No. 7,145,551	5/6/2014
1010	U.S. Publication No. 2004/263479	5/6/2014
1011	Declaration of Dr. Raffaello D' Andrea (Attachments A-C)	5/6/2014
1011, Att. A	U.S. Patent No. 613,809 to Tesla ("Tesla")	5/6/2014
1011, Att. B	U.S. Patent No. 3,101,569 to Giardina ("Giardina")	5/6/2014
1011, Att. C	U.S. Patent No. 8,072,417 ("Jouanet")	5/6/2014
1011 (corrected)	Corrected Declaration of Dr. Raffaello D' Andrea	2/9/2015
1012	Claim Chart	5/6/2014
1013	Declaration of Deborah Skolaski	2/9/2015
1014	Declaration of James Hopenfeld	2/9/2015
1015	Declaration of Dr. Raffaello D' Andrea	2/9/2015
2001	D' Andrea Deposition Exhibit – Declaration Signature Page, '071	Not filed
2002	D' Andrea Deposition Exhibit – Appendix A, Materials Considered by Dr. Raffaello D' Andrea	Not filed
2003	D' Andrea Deposition Exhibit – Smith Patent	Not filed
2004	D' Andrea Deposition Exhibit – Potiron Patent, French	Not filed
2005	D' Andrea Deposition Exhibit – Translations Certification	Not filed
2006	D' Andrea Deposition Exhibit – Declaration, '071	Not filed
2007	D' Andrea Deposition Exhibit – Lee Patent, '071	Not filed
2008	D' Andrea Deposition Exhibit – Bathiche Patent	Not filed
2009	D' Andrea Deposition Exhibit – Declaration, '748	Not filed
2010	D' Andrea Deposition Exhibit – Parrot Exhibits 1011	Not filed

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	and 1010	
2011	D'Andrea Deposition Exhibit – Lee Patent, '748	Not filed
2012	Transcript of Dr. Raffaello D'Andrea Deposition	2/11/2015
2013	Declaration of Robert Sturges	2/11/2015
2014	T. Terry email to Board, dated 1/28/2015	2/16/2015
2015	January 22, 2015 Objection Letter	5/27/2015

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I. REQUEST FOR RELIEF

Pursuant to 37 C.F.R. § 42.64(c), Drone Technologies, Inc. (hereinafter “Drone Technologies” or “Patent Owner”) moves to exclude the declaration of Dr. Raffaello D’Andrea [Exhibit 1011] as being inadmissible and not competent evidence. Drone Technologies became aware of the inadmissibility of Exhibit 1011 on three different occasions and notified the Petitioners accordingly.

First, the lack of signature page for Exhibit 1011 was raised during the deposition of Dr. D’Andrea. Then, when Drone Technologies received Dr. D’Andrea’s finalized deposition transcript on January 22, 2015, it notified Petitioners of the issues and the bases for objection in a letter to Petitioners’ lead counsel. *See* attached Exhibit 2015. Finally, Drone Technologies became aware of additional bases for the inadmissibility of Exhibit 1011 when Petitioners filed a motion to correct Exhibit 1011 on February 9, 2015. Paper No. 14. Patent Owner objected to the admissibility of Exhibit 1011 on February 16, 2015 in its opposition to that motion. Paper No. 15.

II. INTRODUCTION

When filing the petition in this case, Petitioners submitted a declaration from Dr. D’Andrea that was not properly signed, as required by rules 42.6, 42.2, 1.68, and 1.4 of Title 37. When that was discovered during the deposition of Dr.

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