

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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UNDER ARMOUR, INC.  
Petitioner,

v.

ADIDAS AG,  
Patent Owner.

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Case No. IPR2015-00698  
U.S. Patent No. 8,092,345

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**PETITIONER'S OBJECTIONS TO ADMISSIBILITY OF EVIDENCE  
SERVED WITH PATENT OWNER ADIDAS AG'S MOTION TO  
EXCLUDE**

Pursuant to 37 C.F.R. § 42.64(b), Petitioner Under Armour, Inc., hereby objects as follows to the admissibility of evidence served with Patent Owner adidas AG's Motion to Exclude.

<b>Evidence</b>	<b>Objections</b>
<b>Exhibit 2025</b>	<p>Petitioner maintains its objections made during the deposition of Julie Davis.</p> <p><b>FRE 402:</b> the exhibit is not relevant to any ground upon which trial was instituted.</p> <p><b>FRE 802:</b> the exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p><b>FRE 805:</b> the exhibit contains improper hearsay within hearsay.</p> <p><b>37 CFR § 42.65:</b> the exhibit does not conform to the requirements for taking testimony in an <i>inter partes</i> review proceeding, including, but not limited to, the limitations placed on the scope of deposition testimony and the manner of taking deposition testimony.</p>
<b>Exhibit 2026</b>	<p><b>Lack of Foundation:</b> Patent Owner has not provided sufficient explanation of what the exhibit is or what it allegedly shows.</p>

Evidence	Objections
	<p><b>FRE 402:</b> the exhibit is not relevant to any ground upon which trial was instituted.</p> <p><b>FRE 802:</b> the exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p><b>FRE 805:</b> the exhibit contains improper hearsay within hearsay.</p>
<b>Exhibit 2027</b>	<p><b>Lack of Foundation:</b> Patent Owner has not provided sufficient explanation of what the exhibit is or what it allegedly shows.</p> <p><b>FRE 402:</b> the exhibit is not relevant to any ground upon which trial was instituted.</p> <p><b>FRE 802:</b> the exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p><b>FRE 805:</b> the exhibit contains improper hearsay within hearsay.</p>
<b>Exhibit 2028</b>	<p><b>Lack of Foundation:</b> Patent Owner has not provided sufficient explanation of what the exhibit is or what it allegedly shows.</p> <p><b>FRE 402:</b> the exhibit is not relevant to any ground upon which trial was instituted.</p> <p><b>FRE 802:</b> the exhibit is inadmissible hearsay if offered to prove</p>

Evidence	Objections
	<p>the truth of any matter allegedly asserted therein.</p> <p><b>FRE 805:</b> the exhibit contains improper hearsay within hearsay.</p>
<b>Exhibit 2029</b>	<p><b>Lack of Foundation:</b> Patent Owner has not provided sufficient explanation of what the exhibit is or what it allegedly shows.</p> <p><b>FRE 402:</b> the exhibit is not relevant to any ground upon which trial was instituted.</p> <p><b>FRE 802:</b> the exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p><b>FRE 805:</b> the exhibit contains improper hearsay within hearsay.</p>
<b>Exhibit 2030</b>	<p><b>Lack of Foundation:</b> Patent Owner has not provided sufficient explanation of what the exhibit is or what it allegedly shows.</p> <p><b>FRE 402:</b> the exhibit is not relevant to any ground upon which trial was instituted.</p> <p><b>FRE 802:</b> the exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p><b>FRE 805:</b> the exhibit contains improper hearsay within hearsay.</p>

Evidence	Objections
	<p><b>FRE 901:</b> Patent Owner has not produced evidence sufficient to support a finding that the exhibit is what Patent Owner claims it is.</p>
<p><b>Exhibit 2031</b></p>	<p><b>Lack of Foundation:</b> Patent Owner has not provided sufficient explanation of what the exhibit is or what it allegedly shows.</p> <p><b>FRE 402:</b> the exhibit is not relevant to any ground upon which trial was instituted.</p> <p><b>FRE 802:</b> the exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p><b>FRE 805:</b> the exhibit contains improper hearsay within hearsay.</p> <p><b>FRE 901:</b> Patent Owner has not produced evidence sufficient to support a finding that the exhibit is what Patent Owner claims it is.</p>
<p><b>Exhibit 2032</b></p>	<p><b>Lack of Foundation:</b> Patent Owner has not provided sufficient explanation of what the exhibit is or what it allegedly shows.</p> <p><b>FRE 402:</b> the exhibit is not relevant to any ground upon which trial was instituted.</p> <p><b>FRE 802:</b> the exhibit is inadmissible hearsay if offered to prove</p>

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