

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE, INC.,
Petitioner

v.

JI-SOO LEE.
Patent Owner

Case IPR2016-00045
Patent No. 6,233,518

**PETITIONER'S EVIDENTIARY OBJECTIONS
UNDER 37 C.F.R. § 42.64(b)**

Pursuant to 37 C.F.R. § 42.64(b), Petitioner hereby objects as follows to ¶¶ 42-44 and 46-52 of Exhibit 2014 under Fed. R. Evid. 701/702/703. In particular, Exhibit 2010 includes opinions that are not admissible under FRE 701, 702, or 703, or *Daubert v. Merrell Dow Pharms., Inc.*, 509 U.S. 579 (1993). Mr. Cole is lacking the requisite qualifications to opine regarding the view of a person of ordinary skill in the pertinent art at the time of the purported invention. Mr. Cole admits that the '518 patent relates to “providing image vector-based traffic information,” and that the applied references relate “to the creation and use of geographical and traffic information for the purpose of assisting the driver of a vehicle.” Ex. 2014 at ¶¶ 40-41. Nothing in the record indicates that Mr. Cole has past experience with any such systems or with any navigation systems. Ex. 2014 at ¶¶ 5-18 and App. A. Instead, by his own admission, Mr. Cole’s experience appears to be limited to fields other than navigation systems, such as hardwired computer network communication and device cabling (¶¶ 12-15), writing HTML web pages (¶¶ 15-16), and data conversion from old legacy systems (¶ 17). There is no material overlap between Mr. Cole’s technical qualifications and the pertinent field of endeavor for the '518 patent (even as characterized by Mr. Cole in ¶¶ 40-41) and certainly no overlap with the specifically claimed subject matter at issue in this proceeding. Accordingly, Mr. Cole’s testimony in ¶¶ 42-44 and 46-52 of Exhibit

2014 should be excluded as inadmissible opinions of a non-expert in the pertinent field.

Respectfully submitted,

Dated: August 2, 2016

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