

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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DELL, INC., ZTE CORPORATION,  
and  
ZTE (USA) INC.,  
*Petitioners*

v.

3G LICENSING S.A.,  
*Patent Owner*

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Case IPR2020-1157  
Patent No. 7,274,933

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**PATENT OWNER'S FIRST SET OF OBJECTIONS TO  
PETITIONERS' EVIDENCE PURSUANT TO 37 C.F.R. 42.64**

Mail Stop PATENT BOARD  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
*Submitted Electronically via PTAB E2E*

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner 3G Licensing S.A.

(“Patent Owner”) hereby submits the following objections to Petitioners Dell, Inc., ZTE (USA) Inc., and ZTE Corporation, (collectively “Petitioners”) evidence filed with the Petition.

Patent Owner’s objections to the alleged evidence, identified in the table below, are timely under 37 C.F.R. § 42.64(b)(1). Patent Owner’s objections provide notice to Petitioners that Patent Owner may move to exclude these exhibits under 37 C.F.R. § 42.64(c).

<b>Exhibit Nos.</b>	<b>Brief Description of Grounds for Objection</b>
Ex. 1003	Federal Rules of Evidence (“FRE”) 702: alleged expert’s testimony is not based on sufficient facts or data, and is not the product of reliable principles and methods.  FRE 401, 402, and 403: The paragraphs in Ex. 1003 that are not cited in the Petition are irrelevant. Any belated attempt to rely on any of these irrelevant paragraphs would violate at least 37 C.F.R. § 42.6(3).
Ex. 1004	FRE 401, 402, and 403: Patent Owner objects to this exhibit as not relevant under F.R.E. 401, and therefore inadmissible under F.R.E. 402. Even if relevant, a danger of unfair prejudice, confusing the issues, and/or wasting time substantially outweigh(s) any probative value, rendering the exhibit inadmissible under F.R.E. 403.
Ex. 1005	FRE 401, 402, and 403: Patent Owner objects to this exhibit as not relevant under F.R.E. 401, and therefore inadmissible under F.R.E. 402. Even if relevant, a danger of unfair prejudice, confusing the

	issues, and/or wasting time substantially outweigh(s) any probative value, rendering the exhibit inadmissible under F.R.E. 403.
Ex. 1006	FRE 401, 402, and 403: Patent Owner objects to this exhibit as not relevant under F.R.E. 401, and therefore inadmissible under F.R.E. 402. Even if relevant, a danger of unfair prejudice, confusing the issues, and/or wasting time substantially outweigh(s) any probative value, rendering the exhibit inadmissible under F.R.E. 403.
Ex. 1007	<p>FRE 902: lack of authentication.</p> <p>FRE: 801 and 802: This exhibit contains unsworn, out-of-court statements offered for the truth of the matter asserted, and thus is inadmissible as hearsay pursuant to F.R.E. 801 and 802, with no exception provided by Petitioners.</p> <p>FRE 401, 402, and 403: Patent Owner objects to this exhibit as not relevant under F.R.E. 401, and therefore inadmissible under F.R.E. 402. Even if relevant, a danger of unfair prejudice, confusing the issues, and/or wasting time substantially outweigh(s) any probative value, rendering the exhibit inadmissible under F.R.E. 403.</p>
Ex. 1008	<p>FRE 902: lack of authentication.</p> <p>FRE: 801 and 802: This exhibit contains unsworn, out-of-court statements offered for the truth of the matter asserted, and thus is inadmissible as hearsay pursuant to F.R.E. 801 and 802, with no exception provided by Petitioners.</p> <p>FRE 401, 402, and 403: Patent Owner objects to this exhibit as not relevant under F.R.E. 401, and therefore inadmissible under F.R.E. 402. Even if relevant, a danger of unfair prejudice, confusing the issues, and/or wasting time substantially outweigh(s)</p>

	<p>any probative value, rendering the exhibit inadmissible under F.R.E. 403.</p>
Ex. 1009	<p>FRE 902: lack of authentication.</p> <p>FRE: 801 and 802: This exhibit contains unsworn, out-of-court statements offered for the truth of the matter asserted, and thus is inadmissible as hearsay pursuant to F.R.E. 801 and 802, with no exception provided by Petitioners.</p> <p>FRE 401, 402, and 403: Patent Owner objects to this exhibit as not relevant under F.R.E. 401, and therefore inadmissible under F.R.E. 402. Even if relevant, a danger of unfair prejudice, confusing the issues, and/or wasting time substantially outweigh(s) any probative value, rendering the exhibit inadmissible under F.R.E. 403.</p>
Ex. 1010	<p>Federal Rules of Evidence (“FRE”) 702: alleged expert’s testimony is not based on sufficient facts or data, and is not the product of reliable principles and methods.</p> <p>FRE 401, 402, and 403: The paragraphs in Ex. 1010 that are not cited in the Petition are irrelevant. Any belated attempt to rely on any of these irrelevant paragraphs would violate at least 37 C.F.R. § 42.6(3).</p>
Ex. 1016	<p>FRE 902: lack of authentication.</p> <p>FRE: 801 and 802: This exhibit contains unsworn, out-of-court statements offered for the truth of the matter asserted, and thus is inadmissible as hearsay pursuant to F.R.E. 801 and 802, with no exception provided by Petitioners.</p> <p>FRE 401, 402, and 403: Patent Owner objects to this exhibit as not relevant under F.R.E. 401, and therefore inadmissible under F.R.E. 402. Even if relevant, a danger of unfair prejudice, confusing the issues,</p>

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