

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE, LLC
Petitioner

v.

SEVEN NETWORKS, LLC
Patent Owner

Case IPR2018-01050
Patent 9,247,019

**PATENT OWNER'S OBJECTIONS
PURSUANT TO 37 C.F.R. § 42.64(b)(1)**

Pursuant to 37 C.F.R. § 42.64(b)(1) and the Federal Rules of Evidence (“FRE”), Patent Owner SEVEN Networks, LLC hereby objects to the following documents submitted by Petitioner Google LLC.

Nothing in this paper should be construed as an admission that any rights of Patent Owner would have been waived or forfeited had the paper or any objection herein not been filed, or that 37 C.F.R. § 42.64(b) applies to any of the objections herein if § 42.64(b) would not otherwise apply. The objections herein are premised upon § 42.64 potentially being determined to apply to the document in question, and are submitted solely to preserve the rights of Patent Owner should § 42.64(b) be determined to apply.

1. Exhibit 1002

Under FRE 106/1001, 35 U.S.C. § 312(a)(3) & (5), and 37 C.F.R. § 42.51(b)(1), this document or documents are incomplete and are not a copy which accurately reproduces the original.

2. Exhibit 1003

Under FRE 401/402/403/702, this document or documents include testimony not relevant to the instituted review, because, among other things, it has not been shown that the purportedly expert declarant is qualified to testify competently regarding the matters the opinions are said to address, or that the declarant’s testimony is based on sufficient facts or data or arrived at by reliable

principles, procedures, or methods reliably applied to the facts of this case, or that the declarant's opinion will assist the trier of fact to understand the evidence or to determine any fact in issue and does not have a greater potential to mislead than to enlighten. Under FRE 602/701/801/802 and 37 C.F.R. § 42.61, this document or documents include testimony that is not shown to be based on first-hand knowledge including of how relied-upon data was generated, are based on speculation, and constitute and contain inadmissible hearsay. Under FRE 401/705 and 37 C.F.R. § 42.65, this document or documents do not disclose underlying facts and data. Under FRE 401/705 and 37 C.F.R. § 42.65, this document or documents include testimony on patent law and practice.

3. Exhibit 1020

Under FRE 106/1001, 35 U.S.C. § 312(a)(3) & (5), and 37 C.F.R. § 42.51(b)(1), this document or documents are incomplete and are not a copy which accurately reproduces the original. Under FRE 801/802, this document or documents constitute and contain inadmissible hearsay. Under FRE 401/705 and 37 C.F.R. § 42.65, this document or documents do not disclose underlying facts and data. Under FRE 401/402/403, this document or documents are inadmissible as irrelevant because, among other things, they do not form a basis of the instituted grounds, and their probative value is outweighed by other considerations including prejudice, confusion and waste of time. Under FRE 901, this document or

documents are inadmissible because they have not been shown to be authenticated or identified.

4. Exhibit 1021

Under FRE 106/1001, 35 U.S.C. § 312(a)(3) & (5), and 37 C.F.R. § 42.51(b)(1), this document or documents are incomplete and not a copy which accurately reproduces the original. Under FRE 801/802, this document or documents constitute and contain inadmissible hearsay. Under FRE 401/705 and 37 C.F.R. § 42.65, this document or documents do not disclose underlying facts and data. Under FRE 401/402/403, this document or documents are inadmissible as irrelevant because, among other things, they do not form a basis of the instituted grounds, and their probative value is outweighed by other considerations including prejudice, confusion and waste of time. Under FRE 901, this document or documents are inadmissible because they have not been shown to be authenticated or identified.

5. Exhibit 1022

Under FRE 106/1001, 35 U.S.C. § 312(a)(3) & (5), and 37 C.F.R. § 42.51(b)(1), this document or documents are incomplete and are not a copy which accurately reproduces the original. Under FRE 401/705 and 37 C.F.R. § 42.65, this document or documents do not disclose underlying facts and data. Under FRE 401/402/403, this document or documents are inadmissible as irrelevant because,

among other things, they do not form a basis of the instituted grounds, and their probative value is outweighed by other considerations including prejudice, confusion and waste of time. Under FRE 801/802, this document or documents constitutes and contains inadmissible hearsay.

6. Exhibit 1023

Under FRE 106/1001, 35 U.S.C. § 312(a)(3) & (5), and 37 C.F.R. § 42.51(b)(1), this document or documents are incomplete and are not a copy which accurately reproduces the original. Under FRE 401/705 and 37 C.F.R. § 42.65, this document or documents do not disclose underlying facts and data. Under FRE 401/402/403, this document or documents are inadmissible as irrelevant because, among other things, they do not form a basis of the instituted grounds, and their probative value is outweighed by other considerations including prejudice, confusion and waste of time. Under FRE 801/802, this document or documents constitutes and contains inadmissible hearsay.

7. Exhibit 1024

Under FRE 106/1001, 35 U.S.C. § 312(a)(3) & (5), and 37 C.F.R. § 42.51(b)(1), this document or documents are incomplete and are not a copy which accurately reproduces the original. Under FRE 401/705 and 37 C.F.R. § 42.65, this document or documents do not disclose underlying facts and data. Under FRE 401/402/403, this document or documents are inadmissible as irrelevant because,

among other things, they do not form a basis of the instituted grounds, and their probative value is outweighed by other considerations including prejudice, confusion and waste of time. Under FRE 801/802, this document or documents constitutes and contains inadmissible hearsay.

8. Exhibit 1025

Under FRE 106/1001, 35 U.S.C. § 312(a)(3) & (5), and 37 C.F.R. § 42.51(b)(1), this document or documents are incomplete and are not a copy which accurately reproduces the original. Under FRE 401/705 and 37 C.F.R. § 42.65, this document or documents do not disclose underlying facts and data. Under FRE 401/402/403, this document or documents are inadmissible as irrelevant because, among other things, they do not form a basis of the instituted grounds, and their probative value is outweighed by other considerations including prejudice, confusion and waste of time. Under FRE 801/802, this document or documents constitutes and contains inadmissible hearsay.

9. Exhibit 1026

Under FRE 106/1001, 35 U.S.C. § 312(a)(3) & (5), and 37 C.F.R. § 42.51(b)(1), this document or documents are incomplete and are not a copy which accurately reproduces the original. Under FRE 401/705 and 37 C.F.R. § 42.65, this document or documents do not disclose underlying facts and data. Under FRE 401/402/403, this document or documents are inadmissible as irrelevant because,

among other things, they do not form a basis of the instituted grounds, and their probative value is outweighed by other considerations including prejudice, confusion and waste of time. Under FRE 801/802, this document or documents constitutes and contains inadmissible hearsay.

10. Exhibit 1027

Under FRE 602/701/801/802 and 37 C.F.R. § 42.61, this document or documents include testimony that is not shown to be based on first-hand knowledge including of how relied-upon data was generated, is based on speculation, and constitutes and contains inadmissible hearsay. Under FRE 401/705 and 37 C.F.R. § 42.65, this document or documents does not disclose underlying facts and data. Under FRE 401/705 and 37 C.F.R. § 42.65, this document or documents include testimony on patent law and practice.

11. Exhibit 1040

Under FRE 602/701/801/802 and 37 C.F.R. § 42.61, this document or documents include testimony that is not shown to be based on first-hand knowledge including of how relied-upon data was generated, is based on speculation, and constitutes and contains inadmissible hearsay. Under FRE 401/705 and 37 C.F.R. § 42.65, this document or documents does not disclose underlying facts and data.

12. Exhibit 1043

Under FRE 106/1001, 35 U.S.C. § 312(a)(3) & (5), and 37 C.F.R. § 42.51(b)(1), this document or documents are incomplete and are not a copy which accurately reproduces the original. Under FRE 801/802, this document or documents constitutes and contains inadmissible hearsay. Under FRE 401/705 and 37 C.F.R. § 42.65, this document or documents does not disclose underlying facts and data. Under FRE 401/402/403, this document or documents are inadmissible as irrelevant because, among other things, they do not form a basis of the instituted grounds, and their probative value is outweighed by other considerations including prejudice, confusion and waste of time. Under FRE 901, this document or documents are inadmissible because they have not been shown to be authenticated or identified.

13. Exhibit 1044

Under FRE 401/705 and 37 C.F.R. § 42.65, this document or documents does not disclose underlying facts and data. Under FRE 401/402/403, this document or documents are inadmissible as irrelevant because, among other things, they do not form a basis of the instituted grounds, and their probative value is outweighed by other considerations including prejudice, confusion and waste of time.

14. Exhibit 1047

Under FRE 801/802, this document or documents constitutes and contains inadmissible hearsay. Under FRE 401/705 and 37 C.F.R. § 42.65, this document or documents do not disclose underlying facts and data. Under FRE 401/402/403, this document or documents are inadmissible as irrelevant because, among other things, they do not form a basis of the instituted grounds, and their probative value is outweighed by other considerations including prejudice, confusion and waste of time.

15. Exhibit 1048

Under FRE 106/1001, 35 U.S.C. § 312(a)(3) & (5), and 37 C.F.R. § 42.51(b)(1), this document or documents are incomplete and are not a copy which accurately reproduces the original.

16. Exhibit 1051

Under FRE 106/1001, 35 U.S.C. § 312(a)(3) & (5), and 37 C.F.R. § 42.51(b)(1), this document or documents are incomplete and are not a copy which accurately reproduces the original.

Respectfully submitted,

/ Kenneth J. Weatherwax /

Kenneth J. Weatherwax, Reg. No. 54,528
LOWENSTEIN & WEATHERWAX LLP

Date: January 18, 2019

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the following documents were served by electronic service, by agreement between the parties, on the date signed below:

**PATENT OWNER'S OBJECTIONS
PURSUANT TO 37 C.F.R. § 42.64(b)(1)**

The names and address of the parties being served are as follows:

Erika H. Arner
Rachel L. Emsley
Kara A. Specht
Google-SevenNetworks-IPRs@finnegan.com

Respectfully submitted,

/ Jason Linger /

Date: January 18, 2019