

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CADENCE DESIGN SYSTEMS, INC.,
Petitioner

v.

SEMICONDUCTOR DESIGN TECHNOLOGIES, LLC,
Patent Owner

Case IPR2024-00024
U.S. Patent No. 7,791,167

PATENT OWNER'S OBJECTIONS TO EVIDENCE

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Semiconductor Design Technologies, LLC (“Patent Owner”), objects under the Federal Rules of Evidence (FRE) and 37 C.F.R. § 42.64(b)(1) to the admissibility of Exhibits 1003, 1006, 1010-1012, 1014-1016, 1018, 1019, 1027, and 1028 (the “Challenged Evidence”), filed by Petitioner Cadence Design Systems, Inc. (“Petitioner”), on October 20, 2023, with Petitioner’s Petition for *Inter Partes* Review.

Patent Owner’s Objections are timely filed under 37 C.F.R. § 42.64(b)(1), within ten business days of the April 25, 2024 Institution Decision (Paper 9). Patent Owner files these Objections to provide notice to Petitioner that Patent Owner may move to exclude the Challenged Evidence under 37 C.F.R. § 42.64(c).

I. EX1003

Patent Owner objects to Exhibit 1003 to the extent Dr. Lin relies on Exhibits 1006, 1010-1012, 1014-1016, 1018, 1019, 1027, and 1028 for the same reasons as provided below, and/or because Exhibits 1006, 1010-1012, 1014-1016, 1018, 1019, 1027, and 1028 are not qualified to be the basis for an expert opinion under FRE 703. Therefore, these portions of Exhibit 1003 are inadmissible under FRE 702 and FRE 703.

Patent Owner also objects to Exhibit 1003, including at least ¶¶ 38-39, 62-65, and 68-312, as improper expert testimony under FRE 702, 703 and 37 C.F.R. § 42.65. There has not been an adequate showing that Dr. Lin’s testimony is based

on sufficient facts or data, is the product of reliable principles or methods, or that the testimony will help the Board understand the evidence or determine a fact in issue.

Patent Owner further objects to ¶¶ 1, 2, 36-37, 44, 66-67, 83-84, 144, 156, 207-209, 274, 285, and 313-316, as well as the duplicate numbered ¶¶ 1-13 that follow ¶ 312, of Exhibit 1003 as being irrelevant under FRE 401, 402, and 403 because they have not been relied upon in support of any argument made in the Petition.

II. EX1006

Patent Owner objects to Exhibit 1006 under FRE 901 because Petitioner has not presented evidence sufficient to support a finding that the document in question is what Petitioner claims it to be. There is no evidence that the document is self-authenticating under FRE 902.

III. EX1012, EX1015, EX1016, EX1027, AND EX1028

Patent Owner objects to Exhibits 1012, 1015, 1016, 1027, and 1028 under FRE 401, 402, and 403 for including information that is irrelevant or whose probative value to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.

Patent Owner also objects to Exhibit 1012 under 37 C.F.R. § 42.63(b) as not including the required affidavit attesting to the accuracy of the translation.

Patent Owner further objects to Exhibit 1012 as impermissible hearsay under FRE 801 and 802 to the extent this exhibit is offered for the truth of the matters asserted. Petitioner has not identified any applicable exception or exclusion to the rule against hearsay that applies to this exhibit.

IV. EX1014, EX1018, AND EX1019

Patent Owner objects to Exhibits 1014, 1018, and 1019 under FRE 901 because Petitioner has not presented evidence sufficient to support a finding that the documents in question are what Petitioner claims them to be. There is no evidence that the documents are self-authenticating under FRE 902.

Patent Owner also objects to Exhibits 1014, 1018, and 1019 as impermissible hearsay under FRE 801 and 802 to the extent these exhibits are offered for the truth of the matters asserted. Petitioner has not identified any applicable exception or exclusion to the rule against hearsay that applies to these exhibits.

V. EX1010 AND EX1011

Patent Owner objects to Exhibit 1010 as improper expert testimony under FRE 702, 703 and 37 C.F.R. § 42.65. There has not been an adequate showing that Dr. Dömer's testimony is based on sufficient facts or data, is the product of reliable

principles or methods, or that the testimony will help the Board understand the evidence or determine a fact in issue.

Patent Owner also objects to Exhibit 1011 as improper expert testimony under FRE 702, 703 and 37 C.F.R. § 42.65. There has not been an adequate showing that Mr. Frank-White's testimony is based on sufficient facts or data, is the product of reliable principles or methods, or that the testimony will help the Board understand the evidence or determine a fact in issue.

Patent Owner also objects to the Appendices attached to Exhibits 1010 and 1011 as impermissible hearsay under FRE 801 and 802 to the extent these documents are offered for the truth of the matters asserted. Petitioner has not identified any applicable exception or exclusion to the rule against hearsay that applies to these documents. Patent Owner further objects to the Appendices attached to Exhibits 1010 and 1011 under FRE 901 because Petitioner has not presented evidence sufficient to support a finding that the documents in question are what Petitioner claims them to be. There is no evidence that the documents are self-authenticating under FRE 902.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/ Jennifer Meyer Chagnon /

Jennifer Meyer Chagnon
Registration No. 55,440
Attorney for Patent Owner

Date: May 9, 2024

1101 K Street, NW, 10th Floor
Washington, DC 20005
(202) 371-2600

CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

I certify that the above-captioned **PATENT OWNER'S OBJECTIONS TO EVIDENCE** was served in its entirety on May 9, 2024 upon the following parties via electronic mail:

Harper Batts (Lead Counsel)
Chris Ponder (Back-up Counsel)
Jeffrey Liang (Back-up Counsel)
SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
HBatts@sheppardmullin.com
CPonder@sheppardmullin.com
JLiang@sheppardmullin.com

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/ Jennifer Meyer Chagnon /

Jennifer Meyer Chagnon
Registration No. 55,440
Attorney for Patent Owner

Date: May 9, 2024

1101 K Street, NW, 10th Floor
Washington, DC 20005
(202) 371-2600