

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

ONEPLUS TECHNOLOGY (SHENZHEN) CO., LTD.,
Petitioner,

v.

PANTECH CORPORATION,
Patent Owner

IPR2025-00763

U.S. Patent No. 11,212,838

PATENT OWNER'S OBJECTIONS TO EVIDENCE
UNDER 37 C.F.R. § 42.64(B)(1)

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

I. INTRODUCTION

Pursuant to 37 C.F.R. § 42.64(b)(1) and the Federal Rules of Evidence (“F.R.E.”), the undersigned counsel, on behalf of Patent Owner, hereby serves and submits the following objections to evidence submitted by Petitioner accompanying Petitioner's Petition for *Inter Partes* Review. These objections are timely because they are filed within ten business days of institution of trial.

II. OBJECTIONS

A. Ex. 1003

Patent Owner objects to Exhibit 1003, and any reference to or reliance on this exhibit, on the following grounds:

37 C.F.R. § 42.61 (Admissibility of evidence): This exhibit is not admissible under any applicable rule of the Patent Trial and Appeal Board.

37 C.F.R. § 42.65 (Expert Testimony): This exhibit includes expert testimony that does not disclose the underlying facts or data on which the opinion is based.

F.R.E. 401/402 (Relevance): This exhibit is not relevant to any ground upon which trial was instituted. For example, this exhibit includes discussion of various documents (*e.g.*, Exs. 1007-1016, 1018-1019, 1021-1024) and topics which have no bearing on whether the challenged claims are patentable under 35 U.S.C. § 103, the grounds of institution in this proceeding (*e.g.*, ¶¶ 44-78, 79-87).

F.R.E. 403 (Excluding evidence for prejudice, confusion, waste of time, or for other reasons): This exhibit includes information 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 (*e.g.*, ¶¶ 44-78, 79-87).

F.R.E. 602 (Need for Personal Knowledge): This exhibit includes statements and testimony made without any personal knowledge, including and not limited to, what a POSITA would have understood at the time of the invention (*e.g.*, ¶¶ 194, 283), what components were “well-known” or “conventional” at the time of the invention (*e.g.*, ¶¶ 44-78, 79-87)

F.R.E. 702/703 (Expert testimony): This exhibit includes statements and testimony on topics, including and not limited to, the state of the art at the time of the '838 Patent and supposed practices of industry organization. This exhibit includes statements and testimony that are not based on sufficient facts and data, nor is it the product of reliable principles and methods (*e.g.*, ¶¶ 44-78, 79-87). Further, the relied upon facts and data are not those on which experts in this field would reasonably rely.

F.R.E. 801/802/805 (Hearsay): This exhibit includes inadmissible hearsay and/or double hearsay with no applicable exceptions (*e.g.*, ¶¶ 44-78, 79-87).

B. Exhibits 1007-1016, 1018-1019, 1021

Patent Owner objects to Exhibits 1007-1016, 1018, 1019, and 2021, and any reference to or reliance on these exhibits, on the following grounds:

37 C.F.R. § 42.61 (Admissibility of evidence): These exhibits are not admissible under any applicable rule of the Patent Trial and Appeal Board.

F.R.E. 401/402 (Relevance): These exhibits and their references in the record are not relevant because neither Petitioner nor its expert have provided any admissible evidence establishing their relevance on any ground upon which trial was instituted (*e.g.*, Ex. 1003 at ¶¶ 44-78).

F.R.E. 403 (Excluding evidence for prejudice, confusion, waste of time, or for other reasons): These exhibits include information 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 (*e.g.*, ¶¶ 44-78). Exhibits 1007-1016, 1018, 1019, and 2021 have not been relied upon by the Petition for any instituted Ground.

F.R.E. 801/802/805 (Hearsay): These exhibits also include inadmissible hearsay and/or double hearsay with no applicable exceptions.

F.R.E. 901 (Authentication and Identification): These exhibits are not of the kind that is self-authenticated, and has not been properly authenticated or identified as to support a finding that the item is what the proponent claims it to be.

C. Exhibits 1022-2024

Patent Owner objects to Exhibits 1022-1024, and any reference to or reliance on these exhibits, on the following grounds:

37 C.F.R. § 42.61 (Admissibility of evidence): These exhibits are not admissible under any applicable rule of the Patent Trial and Appeal Board.

F.R.E. 401/402 (Relevance): These exhibits and their references in the record are not relevant because neither Petitioner nor its expert have provided any admissible evidence establishing their relevance on any ground upon which trial was instituted.

F.R.E. 403 (Excluding evidence for prejudice, confusion, waste of time, or for other reasons): These exhibits include information 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.

F.R.E. 801/802/805 (Hearsay): Exhibits 1022-1024 include inadmissible hearsay and/or double hearsay with no applicable exceptions.

IPR2025-00763
U.S. Patent No. 11,212,838
Patent Owner's Objections to Evidence

III. CONCLUSION

For at least the foregoing reasons, Patent Owner objects to Exhibits 1003, 1007-1016, 1018, 1019, 1021-2024.

Dated: December 23, 2025

Respectfully submitted,

/James A. Fussell Reg No 54885/
James A. Fussell (Reg. No. 54,885)

IPR2025-00763
U.S. Patent No. 11,212,838
Patent Owner's Objections to Evidence

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of December, 2025, a copy of the attached PATENT OWNER'S OBJECTIONS UNDER 37 C.F.R. § 42.64(b)(1) was served by electronic mail to the attorneys of record, at the following addresses:

Babak Tehranchi
Atanas Baitchev
Yang Hsien Hsu
Han Saem Hong
PERKINS COIE LLP
tehranchi-ptab@perkinscoie.com
baitchev_ptab@perkinscoie.com
hsu-ptab@perkinscoie.com
hong-ptab@perkinscoie.com

Respectfully submitted,

Date: December 23, 2025

By: /James A. Fussell Reg No 54885/
James A. Fussell (Reg. No. 54,885)