

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEALS BOARD

---

NETFLIX, INC.  
Petitioner

v.

OPENTV, INC.  
Patent Owner

---

Case No.: IPR2014-00269  
Patent No.: 6,233,736

---

**PATENT OWNER'S MANDATORY NOTICES  
PURSUANT TO 37 C.F.R. § 42.8**

---

Mail Stop *Inter Partes* Review  
Commissions for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

---

Pursuant to 37 C.F.R. § 42.8(a)(2), Patent Owner OpenTV, Inc. (“OpenTV”) hereby submits the following mandatory notices in connection with Netflix, Inc.’s Petition for *Inter Partes* Review of U.S. Patent No. 6,233,736, Case No. IPR2014-00269. These Notices are timely filed within 21 days of service of the Petition, December 18, 2013:

## **I. OPENTV'S POWER OF ATTORNEY**

A Power of Attorney appointing lead and back-up counsel is being filed concurrently with these Notices.

## **II. OPENTV'S MANDATORY NOTICES**

### **(a) 37 C.F.R. § 42.8(b)(1): Real Party-in-Interest**

The real party in interest is OpenTV, Inc.

### **(b) 37 C.F.R. § 42.8(b)(2): Related Matters**

OpenTV identifies the following judicial matter that would affect, or be affected by, a decision in this proceeding: *OpenTV, Inc. v. Netflix, Inc.*, Case No. 1:12-cv-01733 (D. Del.).

In further compliance with 37 C.F.R. § 42.8(b)(2)—as clarified in Response to Comment No. 34 to the Final Rules of Practice for Trials Before the Patent Trial and Appeal Board and Judicial Review of Patent Trial and Appeal Board Decisions, 77 Fed. Reg. 157 at 48629 (Aug. 14, 2012)—OpenTV identifies the following judicial matter that may affect, or may be affected by, a decision in this proceeding: *OpenTV, Inc. v. Netflix, Inc., et al.*, Request No. KG RK 13-1834 (The Hague District Court, The Netherlands), relating to EP 0 879 534, a European patent that claims priority to a parent of U.S. Patent No. 6,233,736.

**(c) 37 C.F.R. § 42.8(b)(3) and (4): Lead and Back-Up Counsel and Service Information**

OpenTV designates the following counsel to transact all business in the United States Patent & Trademark Office associated with the above-captioned Petition for *Inter Partes* Review of U.S. Patent No. 6,233,736:

<b>Lead Counsel</b>	<b>Back-up Counsel</b>
Russell E. Levine, P.C. (Reg. No. 32,153) russell.levine@kirkland.com <u>Postal and Hand-Delivery Address:</u> KIRKLAND & ELLIS LLP 300 North LaSalle Chicago, Illinois 60654 Telephone: (312) 862-2000 Fax: (312) 862-2200	Eugene Goryunov (Reg. No. 61,579) eugene.goryunov@kirkland.com <u>Postal and Hand-Delivery Address:</u> KIRKLAND & ELLIS LLP 300 North LaSalle Chicago, Illinois 60654 Telephone: (312) 862-2000 Fax: (312) 862-2200

Please address all correspondence regarding this proceeding to lead and back-up counsel. OpenTV also consents to electronic service by email.

Date: January 6, 2014

Respectfully submitted,

/s/ Eugene Goryunov

Russell E. Levine, P.C. (Reg. No. 32,153)  
Eugene Goryunov (Reg. No. 61,579)  
KIRKLAND & ELLIS LLP  
300 North LaSalle  
Chicago, Illinois 60654  
russell.levine@kirkland.com  
eugene.goryunov@kirkland.com  
Telephone: (312) 862-2000  
Fax: (312) 862-2200  
Attorneys For Patent Owner

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Patent Owner's Mandatory Notices Pursuant to 37 C.F.R. § 42.8 in an *Inter Partes* Review was served on January 6, 2014, via FedEx Express and email directed to counsel of record for the Petitioner at the following:

Andrew S. Ehmke  
andy.ehmke.ipr@haynesboone.com  
Scott Jarratt  
scott.jarratt.ipr@haynesboone.com  
HAYNES AND BOONE, LLP  
2323 Victory Ave., Suite 700  
Dallas, Texas 75219

/s/ Eugene Goryunov \_\_\_\_\_