

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

AT&T MOBILITY LLC  
CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS  
Petitioners

v.

SOLOCRON MEDIA, LLC  
Patent Owner

---

Case IPR2015-00387  
Patent 8,594,651 B2

---

**PATENT OWNER SOLOCRON MEDIA, LLC'S  
PRELIMINARY RESPONSE TO PETITION FOR  
INTER PARTES REVIEW OF UNITED STATES PATENT NO. 8,594,651  
PURSUANT TO 35 U.S.C. § 313, 37 C.F.R. § 42.107**

**TABLE OF CONTENTS**

**I. INTRODUCTION** ..... 1

**II. THE PETITION FAILS TO IDENTIFY ALL REAL PARTIES-IN-INTEREST AS REQUIRED BY STATUTE AND RULE.**..... 7

**A. Legal Background.** ..... 7

1. Parent Corporations That Control Their Subsidiaries Are Routinely Considered Real Parties-In-Interest. ..... 8

2. Parent Corporations That Blur Corporate Lines With Their Subsidiaries Are Routinely Considered Real Parties-In-Interest...... 11

3. Parent Corporations That Have An Aligned Interest In Invalidating A Patent, Take Unified Actions In Litigation, And/Or Share Common Counsel Are Routinely Considered Real Parties-In-Interest. ..... 12

**B. Verizon Is A Real Party-In-Interest.** ..... 13

1. Verizon Fully Controls Verizon Wireless. ..... 14

2. The Verizon Entities Blur Their Corporate Lines. ..... 21

3. Verizon And Verizon Wireless Have Identical Interests In Invalidating The Patents And Have Worked In Concert Through Shared Counsel To Accomplish That Goal. ..... 26

**C. AT&T And AT&T Services Are Real Parties-In-Interest.** ..... 31

1. AT&T Fully Controls Its Subsidiary AT&T Mobility. ..... 31

2. The AT&T Entities Blur Their Corporate Lines. ..... 35

3. AT&T And AT&T Mobility Have Identical Interests In Invalidating The Patents And Have Worked In Concert Through Shared Counsel To Accomplish That Goal. ..... 38

<b>D.</b>	<b>Even If The Petition Were Corrected To Identify Omitted Real Parties-In-Interest, Review Cannot Be Instituted.....</b>	<b>41</b>
<b>III.</b>	<b>THE THIRTEEN (REALLY EIGHTEEN) REQUESTED GROUNDS PROPOSED IN PETITIONERS' THREE PETITIONS ARE REDUNDANT AND SHOULD NOT ALL BE INSTITUTED.....</b>	<b>42</b>
<b>A.</b>	<b>The Board Routinely Rejects Redundant Or Duplicative Grounds Against The Same Claims, Both Within Petitions And Across Multiple Petitions.....</b>	<b>44</b>
<b>B.</b>	<b>The Thirteen (Or Eighteen) Proposed Grounds Across Three Petitions Are Duplicative And Redundant. ....</b>	<b>46</b>
<b>IV.</b>	<b>CONCLUSION .....</b>	<b>51</b>

**TABLE OF AUTHORITIES**

**Page(s)**

**COURT DECISIONS**

*Gonzales v. Banco Cent. Corp.*,  
27 F.3d 751 (1st Cir. 1994).....17

**P.T.A.B. DECISIONS**

*Askeladden LLC v. McGhie*,  
IPR2015-00122, Paper 30 (P.T.A.B. Mar. 6, 2015)  
(per Chang, APJ)..... passim

*Atlanta Gas Light Co. v. Bennett Regulator Guards, Inc.*,  
IPR2013-00453, Paper 88 (P.T.A.B. Jan. 6, 2015)  
(per Boucher, APJ)..... passim

*Canon Inc. v. Intellectual Ventures I, LLC*,  
IPR2014-00535 to -00537, Paper 9 (P.T.A.B. Sep. 24, 2014)  
(per Boucher, APJ)..... 44, 45, 49

*Commerce Bancshares, Inc. v. Intellectual Ventures II LLC*,  
IPR2014-00801, Paper 7 (P.T.A.B. Dec. 1, 2014)  
(per Bisk, APJ).....10

*Cyanotech Corp. v. Board of Trs. of Univ. of Ill.*,  
IPR2013-00401, Paper 17 (P.T.A.B. Dec. 19, 2013)  
(per Snedden, APJ) ..... 45, 46

<i>Galderma S.A. v. Allergan Industrie, SAS</i> , IPR2014-01422, Paper 14 (P.T.A.B. Mar. 5, 2015) (per Pollock, APJ).....	passim
<i>HTC Corp. v. E-Watch, Inc.</i> , IPR2014-00987, Paper 6 (P.T.A.B. Dec. 9, 2014) (per Clements, APJ).....	46
<i>HTC Corp. v. E-Watch, Inc.</i> , IPR2014-00987, Paper 10 (P.T.A.B. Jan. 7, 2015) (per Clements, APJ).....	46
<i>Liberty Mut. Ins. Co. v. Progressive Cas. Ins. Co.</i> , CBM2012-00003, Paper 7 (P.T.A.B. Oct. 25, 2012) (per Lee, APJ) .....	43, 44, 49
<i>Medtronic, Inc. v. Barry</i> , IPR2014-01210, Paper 10 (P.T.A.B. Feb. 10, 2015) (per McNamara, APJ).....	43
<i>Oracle Corp. v. Clouding IP, LLC</i> , IPR2013-00075, Paper 8 (P.T.A.B., May 3, 2013) (per Kim, APJ).....	51
<i>Paramount Home Entm't Inc. v. Nissim Corp.</i> , IPR2014-00961, Paper 11 (P.T.A.B. Dec. 29, 2014) (per Scanlon, APJ).....	passim
<i>Sony Computer Ent't Am. LLC v. Game Controller Tech. LLC</i> , IPR2013-00634, Paper 31 at 7-8 (P.T.A.B. Apr. 2, 2015) (per Meyer, APJ).....	10
<i>Toyota Motor Corp. v. Am. Vehicular Scis. LLC</i> , IPR2013-00421, Paper 15 (P.T.A.B. Jan. 13, 2014) (per Kim, APJ).....	50

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.