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

GOOGLE INC.
Petitioner

v.

Patent of AT HOME BONDHOLDERS' LIQUIDATING TRUST Patent Owner

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Case IPR2015-00662
U.S. Patent No. 6,014,698
Title: SYSTEM USING FIRST BANNER REQUEST THAT CAN NOT BE
BLOCKED FROM REACHING A SERVER FOR ACCURATELY COUNTING
DISPLAYS OF BANNERS ON NETWORK TERMINALS

PATENT OWNER'S PRELIMINARY RESPONSE UNDER 37 C.F.R. §§ 42.107



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IV.	[GROUND 1] The Petition fails to show that claims 1-3, 5-7, 9, 11-16, and 23 are unpatentable based on Angles (GOOG 1012), Merriman (GOOG 1013), and HTTP1.0 (GOOG 1008)				
	A.	Angles, Merriman, and HTTP1.0 do not disclose all of the elements of independent claim 1		17	
		(i)	Angles, Merriman, and HTTP1.0 do not disclose the claimed first request signal that "cannot be blocked from reaching said primary server"	17	
		(ii)	Angles, Merriman and HTTP1.0 do not teach or suggest the use of two or more requests to retrieve a banner	24	
	В.	A POSA would not modify Angles and Merriman in a way that results in the claimed invention			
	C.	The Petition fails to demonstrate that dependent claims 2, 3, 5-7, 9, 11-16 and 23 are obvious29			



V.	[GROUND 2] The Petition Fails To Demonstrate That Claims 1, 6, 7, 9, 11-16, and 23 Are Unpatentable Based On Wexler (GOOG 1007) and HTTP 1.0 (GOOG 1008)				
	A.	Wexler and HTTP1.0 do not disclose all the elements of independent claim 1	31		
		(i) Neither Wexler nor HTTP 1.0 teach or suggest the use of two requests to retrieve a banner	31		
	B.	A POSA would not modify Wexler and HTTP1.0 in a way that results in the claimed invention	35		
	C.	The Petition fails to demonstrate that dependent claims 6, 7, 9, 11-16, and 23 are obvious	36		
VI.	and 5	[GROUND 3] The Petition Fails To Demonstrate That Claims 2, 3, and 5 Are Unpatentable Based On Wexler (GOOG 1007), HTTP1.0 (GOOG 1008), and Meeker (GOOG 1010)			
<b>3711</b>	CON		40		



### TABLE OF EXHIBITS

AHBLT-(Exhibit #)	Description
AHBLT-2001	Jason Fry, Network Caching Catches Flak From Some Content Providers, WALL St. J. (Nov. 21, 1997), http://www.wsj.com/articles/SB876847891653286000
AHBLT-2002	Seth Schiesel, Updates/Media and Technology; Software to Track Business Prospects By Web Visits, N.Y.TIMES (Oct. 6, 1997), http://www.nytimes.com/1997/10/06/business/updates-media-and-technology-software-to-track-business-prospects-by-web-visits.html
AHBLT-2003	Rick E. Bruner, Interactive: Media & Marketing: Matchlogic Service Solves Cache Problem, Advertising Age (Oct. 13, 1997), http://adage.com/article/news/interactive-media-marketing-matchlogic-service-solves-cache-problem/70523/
AHBLT-2004	What is ABC, Audit Bureau of Circulations, http://www.auditbureau.org/about-what-is-abc.html (last visited May 17, 2015)
AHBLT-2005	Tom Shields, Internet Advertising Banner Counting Methodology (Oct. 23, 1998), https://web.archive.org/web/19990819024111/http:/www.net gravity.com/standards/WD-countmethod-19981023.html
AHBLT-2006	Interactive Audience Measurement and Advertising Campaign Reporting and Audit Guidelines, Interactive Advertising Bureau (Sep. 2004), http://www.iab.net/media/file/US_meas_guidelines.pdf
AHBLT-2007	CGI Programming Guide on the World Wide Web, Shishir Gundavaram, (1st Ed., March 1996), http://www.oreilly.com/openbook/cgi/



AHBLT-2008	DART White Paper Counting Methodologies, DoubleClick, July 12, 2001
AHBLT-2009	W3C httpd CGI/1.1 Script Support, World Wide Web Consortium (W3C) (July 1995), http://www.w3.org/Daemon/User/CGI/Overview.html
AHBLT-2010	"conjunction" Merriam-Webster Online, http://www.merriam-webster.com/dictionary/conjunction (last visited May 17, 2015)
AHBLT-2011	HTML 4.0 Specification, Dave Raggett et. al. eds. (Dec. 1997), World Wide Web Consortium (W3C), http://www.w3.org/TR/REC-html40-971218/
AHBLT-2012	We've officially acquired DoubleClick, Official Google Blog (Mar. 11, 2008), http://googleblog.blogspot.com/2008/03/weve-officially-acquired-doubleclick.html
AHBLT-2013	Duane Wessels, Web Caching, O'Reilly & Associates, Inc. (June 2001)
AHBLT-2014	Excerpt of File History for U.S. Patent No. 6,286,045



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