

LARM Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

Δ

Trials@uspto.gov 571-272-7822 Paper No. 3

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NETFLIX, INC. Petitioner

v.

OPENTV, INC. Patent Owner

Case IPR2014-00269 U.S. Patent 6,233,736

Mailed: December 27, 2013

Before Lawrence J. Banks, Trial Paralegal.

DOCKET

NOTICE OF FILING DATE ACCORDED TO PETITION AND TIME FOR FILING PATENT OWNER PRELIMINARY RESPONSE

The petition for *inter parties* review in the above proceeding has been accorded the filing date of December 18, 2013.

Case IPR2014-00269 Patent 6,233,736

Administrative Patent Judge Sally C. Medley has been designated to manage the proceeding. 37 C.F.R. § 42.5.

Patent Owner may file a preliminary response to the petition no later than three months from the date of this notice. The preliminary response is limited to setting forth the reasons why the requested review should not be instituted. Patent Owner may also file an election to waive the preliminary response to expedite the proceeding. For more information, please consult the Office Patent Trial Practice Guide, 77 Fed. Reg. 48756 (Aug. 14, 2012), which is available on the Board Web site at http://www.uspto.gov/PTAB.

Patent Owner is advised of the requirement to submit mandatory notice information under 37 C.F.R. § 42.8(a)(2) within 21 days of service of the petition.

The parties are encouraged to use the heading on the first page of this Notice for all future filings in the proceeding.

The parties are advised that under 37 C.F.R. § 42.10(c), recognition of counsel *pro hac vice* requires a showing of good cause. The parties are authorized to file motions for *pro hac vice* admission under 37 C.F.R. § 42.10(c). Such motions shall be filed in accordance with the "Order -- Authorizing Motion *for Pro Hac Vice* Admission" in Case IPR2013-00639, Paper 7, a copy of which is available on the Board Web site under "Representative Orders, Decisions, and Notices."

The parties are reminded that unless otherwise permitted by 37 C.F.R. § 42.6(b)(2), all filings in this proceeding must be made electronically in the Patent Review Processing System (PRPS), accessible from the Board Web site at <u>http://www.uspto.gov/PTAB</u>. To file documents, users must first obtain a user ID and password by registering with PRPS. Information Case IPR2014-00269 Patent 6,233,736

regarding how to register with and use PRPS is available at the Board Web site.

If there are any questions pertaining to this notice, please contact Lawrence J. Banks at 571-272-3450 or the Patent Trial and Appeal Board at 571-272-7822.

PETITIONER:

Andrew S. Ehmke Dustin Johnson HAYNES AND BOONE, LLP andy.ehmke.ipr@haynesboone.com dustin.justin.ipr@haynesboone.com

PATENT OWNER:

SCHWEGMAN, LUNDBERG & WOESSNER/OPEN TV P.O. Box 2938 Minneapolis, MN 55402-0938 Trials@uspto.gov Tel: 571-272-7822 Paper 13 Entered: June 24, 2014

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NETFLIX, INC., Petitioner,

v.

OPENTV, INC., Patent Owner.

IPR2014-00269 Patent 6,233,736

Before SALLY C. MEDLEY, JAMES T. MOORE, and JUSTIN BUSCH, *Administrative Patent Judges*.

BUSCH, Administrative Patent Judge.

DOCKE

Δ

DECISION Institution of *Inter Partes* Review 37 C.F.R. § 42.108

Find authenticated court documents without watermarks at docketalarm.com.

DOCKET A L A R M



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.