

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RIOT GAMES, INC., and
VALVE CORP.,
Petitioners,

v.

PALTALK HOLDINGS, INC.,
Patent Owner.

Case IPR2018-00131
Patent 6,226,686 & 6,226,686 C1

PATENT OWNER'S SUR-REPLY TO PETITIONERS' REPLY

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UPDATED PATENT OWNER EXHIBIT LIST

Exhibit 2001:	Declaration of Nancy Miracle
Exhibit 2002:	Declaration of Dr. Kevin C. Almeroth
Exhibit 2003:	Curriculum Vitae of Dr. Kevin C. Almeroth
Exhibit 2004:	Transcript of July 24, 2018 Deposition of Dr. Steve White
Exhibit 2005:	Transcript of December 19, 2018 Deposition of Dr. Steve White

I. ORDERING REQUIREMENT OF ALDRED

A. Petitioners' New Arguments Should Be Given No Weight

Petitioners incorrectly state that Patent Owner's Response argued that RFC 1692 would reorder "*TCP segments*," and Petitioners refer to "TCP segments" throughout the Reply. Reply, 2, 3-11. However, Patent Owner and its expert *never* asserted Aldred or RFC 1692 require "TCP segments" or using the TCP protocol, *never* asserted RFC 1692 reorders "TCP segments," and *never* referred to packets as "TCP segments." See PO Resp. 15-32; Ex. 2002, ¶¶ 66-85 (describing combining Aldred and RFC 1692 disrupts the order of "*packets*").

The Reply now essentially asserts a combination of Aldred, RFC 1692, and the TCP protocol, which was not properly presented in the Petition. See Pet., 33-34; see also Reply, 2 ("An Ordinary Artisan would have found it obvious to extend Aldred's use of TCP/IP for inter-node data transfer to use RFC 1692's TMux functionality."); see also Ex. 2005, 144:5-7 ("Aldred based on TCP/IP, with the TMux extensions to IP, is the combination that we've considered."). Petitioners mischaracterize the statements in the Response and introduce new arguments in the Reply that limit with no underlying rationale the combination of Aldred and RFC 1692 to transmitting TCP segments. Petitioners' new arguments are not directed to the specific issues in the Response, and should be given no weight.

B. TCP Is Not Required In Aldred or RFC 1692

Even if Petitioners' new arguments are considered, they still fail. Petitioners argue RFC 1692 would not reorder "TCP segments" because the TCP protocol assigns sequence numbers to transmitted data to order and ensure reliability of data. Reply, 6-7; Ex. 1051, 4. As described above, Patent Owner never argued "*TCP segments*" would be sent out of order if Aldred and RFC 1692 are combined, but argued the order of "*packets*" would be disrupted. PO Resp. 15-32. Aldred, nor RFC 1692, require the use of the TCP protocol or TCP segments, and in fact strive to be over-inclusive of other standards and protocols. *See* Ex. 1009, 30 ("The support system architecture is designed to permit inter-working between different computer platforms, operate over varied communications networks, and support relevant communication and data standards."); *see also* Ex. 1010, 8 (illustrating non-TCP segments such as *UDP segments* can be multiplexed). Further, TCP segments a datastream into packets having no relation to the message, Ex. 2005 106:4-7 ("TCP doesn't have any knowledge of how the application uses the data stream, it only has knowledge of what bits it's presented with in order to transmit."). Petitioners thus provide no support for "aggregating payload portions ... to create an aggregated message."

The Reply requires the combination of Aldred and RFC 1692 be limited to using the TCP protocol and transmitting TCP segments, and ignores the flexibility

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