

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.,
Petitioner,

v.

REALTIME ADAPTIVE STREAMING LLC,
Patent Owner.

Case IPR2018-00883
Patent No. 8,934,535

PATENT OWNER'S PRELIMINARY RESPONSE

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EXHIBIT LIST

Exhibit No.	Description
2001	Declaration of Kayvan B. Noroozi in Support of Motion for Admission <i>Pro Hac Vice</i> .

I. Introduction

Unified Patents challenges claim 15 and certain dependent claims of the '535 patent on four grounds, all relying in whole or in part on Dye. But try as it might, the Petition fails to show that Dye teaches “determining a parameter of . . . a data block” that it then uses to select an “asymmetric compressor,” as claim 15 requires.

The Petition's headline anticipation ground stumbles at the threshold by relying on several alleged parameters that are not parameters of a data block, or that are not used to select an asymmetric compressor.

The Petition then only compounds its failures in the next three grounds. Ground 2 alleges obviousness based on Dye alone, but does nothing to address the very reasons Dye does not anticipate. Instead, Ground 2 introduces an additional dispositive failure: it alleges obviousness without even attempting to ascertain the differences between the prior art and challenged claims.

That fatal error then pervades throughout Grounds 3 and 4. But those grounds only deepen the Petition's problems by relying on combinations of prior art references without providing any credible or adequate motivation to combine. Specifically, both grounds attempt to add a new video encoder to Dye on the premise that Dye does not teach any video compression algorithms. But neither ground even tries to demonstrate that allegation to be true, and Dye in fact directly

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