

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NETFLIX, INC., ARRIS SOLUTIONS, INC., and
COMCAST CABLE COMMUNICATIONS, LLC,
Petitioners

v.

REALTIME ADAPTIVE STREAMING LLC,
Patent Owner

Case IPR2018-01169
Patent 8,934,535

**PATENT OWNER'S OBJECTIONS
TO PETITIONER'S DEMONSTRATIVES**

IPR2018-01169 ('535 Patent)
Patent Owner's Objections to Petitioners' Demonstratives

Patent Owner objects to certain Petitioners' demonstrative slides because they impermissibly raise new arguments not previously "raised in a paper." 37 C.F.R. § 42.70(a); Office Patent Trial Practice Guide. Demonstratives are "not intended to introduce new evidence or to be presented as additional briefing in the proceeding." *Guangdong Xinbao Electrical Appliances Holdings Co. v. Adrian Rivera*, IPR2014-00042, Paper 44 at 2 (Oct. 27, 2014). The "burden on showing that a demonstrative slide does not present new argument or new evidence is on the party presenting the slide," and "it cannot be made overly cumbersome for the Board and the opposing party to determine whether something is new." *CBS Interactive Inc. v. Helferich Patent Licensing, LLC.*, IPR2013-00033, Paper 118 at 4 (Oct. 23, 2013).

Slide No.	Patent Owner's Objections to Petitioner's Demonstratives Exhibits (Ex. 1018)
Slide 26	Patent Owner objects to this entire slide as improper new argument. It relies on the Petition's assertions about how dependent claim 3 is satisfied to show motivation to combine for independent claim 1.
Slide 27	Patent Owner objects to this entire slide as improper new argument. It relies on the Petition's assertions about how dependent claim 3 is satisfied to show motivation to combine for independent claim 1.
Slides 41-45	Patent Owner objects to these slides as improper new argument. They are quotations to caselaw that were not specifically cited or discussed in the papers.

IPR2018-01169 ('535 Patent)
Patent Owner's Objections to Petitioners' Demonstratives

Respectfully submitted,

Dated: August 28, 2019

/Philip X. Wang/

Philip X. Wang (Reg. No. 74,621)
Neil A. Rubin (Reg. No. 67,030)
Reza Mirzaie (Reg. No. 69,138)
C. Jay Chung (Reg. No. 71,007)
Attorneys for Patent Owner
Russ August & Kabat
12424 Wilshire Blvd., 12th Fl.
Los Angeles, CA 90025
Phone: (310) 826-7474
Fax: (310) 826-6991
nrubin@raklaw.com
pwang@raklaw.com
rmirzaie@raklaw.com
jchung@raklaw.com
rak_realtimedata@raklaw.com

CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))

The undersigned hereby certifies that the above document was served on August 28, 2019, by filing this document through the Patent Trial and Appeal Board End to End system as well as delivering a copy via electronic mail upon the following attorneys of record:

For Petitioner Netflix, Inc.:

Harper Batts (Reg. No. 56,160)
HBatts@sheppardmullin.com
Legaltm-Netflix-Realtime-IPRs@sheppardmullin.com
Chris Ponder (Reg. No. 77,167)
CPonder@sheppardmullin.com
Jeffrey Liang (Reg. No. 69,043)
JLiang@sheppardmullin.com
Sheppard, Mullin, Richter & Hampton LLP

For Petitioner ARRIS Solutions Inc.

Jennifer Nall (Reg. No. 57,053)
jennifer.nall@bakerbotts.com
Eliot Williams (Reg. No. 50,822)
eliot.williams@bakerbotts.com
Andrew Wilson (Reg. No. 74,093)
andrew.wilson@bakerbotts.com
Michelle Eber (Reg. No. 67,338)
michelle.eber@bakerbotts.com

For Petitioner Comcast Cable Communications, LLC

James Day (Reg. No. 72,681)
jday@fbm.com
Daniel Callaway (Reg. No. 74,267)
dcallaway@fbm.com

IPR2018-01169 ('535 Patent)
Patent Owner's Objections to Petitioners' Demonstratives

Dated: August 28, 2019

/Philip X. Wang/

Philip X. Wang (Reg. No. 74,621)
Neil A. Rubin (Reg. No. 67,030)
Reza Mirzaie (Reg. No. 69,138)
C. Jay Chung (Reg. No. 71,007)
Attorneys for Patent Owner

Russ August & Kabat
12424 Wilshire Blvd., 12th Fl.
Los Angeles, CA 90025
Phone: (310) 826-7474
Fax: (310) 826-6991
nrubin@raklaw.com
pwang@raklaw.com
rmirzaie@raklaw.com
jchung@raklaw.com
rak_realtimedata@raklaw.com