

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

DISH NETWORK L.L.C.,  
Petitioner,

v.

MULTIMEDIA CONTENT MANAGEMENT LLC,  
Patent Owner

---

IPR2019-01015  
PATENT 8,799,468

---

**PATENT OWNER SUR-REPLY TO PETITIONER'S REPLY TO  
PATENT OWNER PRELIMINARY RESPONSE TO PETITION**

**Table of Contents**

I.	Introduction	1
II.	Institution Would Be An Inefficient Use of the Board's Resources	2
III.	The Board Should Not Relitigate Claim Construction	5
IV.	Conclusion	6

Table of Exhibits

<b>Exhibits to Petition</b>	
U.S. Patent No. 8,799,468 (“’468 Patent”)	EX1001
U.S. Patent No. 9,465,925	EX1002
File History for U.S. Patent No. 8,799,468	EX1003
File History for U.S. Patent No. 8,122,128	EX1004
File History for U.S. Patent No. 9,465,925	EX1005
Declaration of Anthony Wechselberger	EX1006
<i>Curriculum Vitae</i> of Anthony Wechselberger	EX1007
U.S. Publication No. 2002/0049980 to Hoang (“Hoang ’980”)	EX1008
U.S. Patent No. 7,725,267 to Hoang (“Hoang ’267”)	EX1009
U.S. Publication No. 2003/0208561 to Hoang (“Hoang ’561”)	EX1010
Michael Adams, OpenCable™ Architecture (2000) (“OpenCable”)	EX1011
Complaint, <i>Multimedia Content Management LLC v. DISH Network Corporation</i> , Civil Action No.: 6:18-cv-00207-ADA	EX1012
Canadian Patent 2,321,462 to Cameron et al. (“Cameron”)	EX1013
U.S. Publication No. 2002/0162109 to Shteyn (“Shteyn”)	EX1014
U.S. Patent No. 5,974,503 to Venkatesh, et al. (“Venkatesh”)	EX1015
Unified Patents, Inc. v. Multimedia Content Management LLC, IPR2017-01934, Paper 9, Patent Owner Preliminary Response (PTAB Dec. 14, 2017)	EX1016
Newton’s Telecom Dictionary (15th Edition 1999) (excerpts)	EX1017
Unified Patents, Inc. v. Multimedia Content Management LLC, IPR2017-01934, Paper 10 (Institution Decision) (PTAB Mar. 5, 2018)	EX1018
Microsoft Press Computer Dictionary (3rd Edition 1997)	EX1019
Certification of the Library of Congress for Open Cable Architecture by Michael Adams, executed February 27, 2019	EX1020

Declaration of Curt Williams Concerning the “OpenCable Architecture” Reference by Michael Adams, executed March 15, 2019	EX1021
U.S. Publication No. 2003/0172376 to Coffin III (“Coffin”)	EX1022
Deposition of Joel Williams dated April 12, 2019	EX1023
Plaintiff’s Opening Claim Construction Brief (DI 51)	EX1024
Defendant’s Opening Claim Construction Brief (DI 48)	EX1025
Plaintiff’s Responsive Claim Construction Brief (DI 53)	EX1026
Defendant’s Responsive Claim Construction Brief (DI 52)	EX1027
Plaintiff’s Reply Claim Construction Brief (DI 59)	EX1028
Defendant’s Reply Claim Construction Brief (DI 58)	EX1029
Declaration of Anthony J. Wechselberger In Support of Defendant’s Opening Claim Construction Brief	EX1030
<b>Exhibits to POPR</b>	
Declaration of Dr. Edwin A. Hernandez-Mondragon	EX2001
Petition for <i>Inter Partes</i> Review of Claims 1-5, 9, 11-13, 19, 23-27, and 32-34 of U.S. Patent No. 8,799,468, <i>Unified Patents Inc. v. Catonian IP Management LLC</i> , Case IPR2017-01934	EX2002
Markman Construction Order for <i>Multimedia Content Management LLC v. Dish Network Corporation</i> , Case No. 6:18-cv-00207-ADA (W.D. Tex. June 17, 2019)	EX2003
“Information technology – Generic coding of moving pictures and associated audio information: Systems,” International Standard, ISO/EIC 13818-1, Second edition, 2000-12-01	EX2004
“Digital Video Broadcasting (DVB); DVB interaction channel for Cable TV distribution systems (CATV),” ETSI Standard, ETSI ES 200 800, V1.3.1 (2001-10)	EX2005
Defendant’s Responsive Claim Construction Brief for <i>Multimedia Content Management LLC v. Dish</i>	EX2006

<i>Network Corporation</i> , Case No. 6:18-cv-00207-ADA (W.D. Tex. April 5, 2019)	
Order Denying Motion to Stay Pending <i>Inter Partes</i> Review of U.S. Patent Numbers 8,799,468 and 9,465,925 for <i>Multimedia Content Management LLC v. Dish Network Corporation</i> , Case No. 6:18-cv-00207-ADA (W.D. Tex. May 30, 2019)	EX2007
Decision Denying Institution of <i>Inter Partes</i> Review, <i>NHK Spring Co., Ltd. v. Intri-Plex Technologies, Inc.</i> , Case IPR2018-00752, U.S. Patent No. 6,183,841, September 12, 2018	EX2008
Plaintiff Multimedia Content Management LLC and Defendant Dish Network L.L.C.'s Scheduling Order for <i>Multimedia Content Management LLC v. Dish Network Corporation</i> , Case No. 6:18-cv-00207-ADA (W.D. Tex. June 5, 2019)	EX2009
Transcript of Markman Hearing Before the Honorable Alan D. Albright for <i>Multimedia Content Management LLC v. Dish Network Corporation</i> , Case No. 6:18-cv-00207-ADA (W.D. Tex. May 7, 2019)	EX2010
Transcript of Hearing on Motion to Dismiss Before the Honorable Alan D. Albright for <i>Multimedia Content Management LLC v. Dish Network Corporation</i> , Case No. 6:18-cv-00207-ADA (W.D. Tex. May 7, 2019)	EX2011
Exhibit E to Defendant's Opening Claim Construction Brief, Declaration of Anthony J. Wechselberger, for <i>Multimedia Content Management LLC v. Dish Network Corporation</i> , Case No. 6:18-cv-00207-ADA (W.D. Tex. March 15, 2019)	EX2012

# 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.