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Attorneys for Defendants Google LLC and YouTube. LLC

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

17 REALTIME ADAPTIVE
 18 STREAMING LLC,
 19 Plaintiff,
 20 vs.
 21 GOOGLE LLC, and YOUTUBE, LLC,
 22 Defendants.

Case No. 2:18-CV-03629-GW-JC

**JOINT STIPULATION TO STAY
 CASE PENDING *INTER PARTES*
 REVIEW PROCEEDINGS**

Judge: Hon. George H. Wu

STIPULATION TO STAY CASE PENDING *INTER PARTES*

1 WHEREAS, Plaintiff Realtime Adaptive Streaming LLC (“Plaintiff”) asserts
2 the following five patents against Defendants Google LLC and YouTube, LLC
3 (collectively, “Defendants”): U.S. Patent Nos. 7,386,046; 8,934,535; 9,578,298;
4 9,769,477; and RE46,777 (collectively, the “Asserted Patents”);

5 WHEREAS, the Patent Trial and Appeal Board (“PTAB”) of the United
6 States Patent and Trademark Office has instituted *inter partes* review (“IPR”) of
7 four of the five Asserted Patents, which account for 30 of the 32 patent claims
8 asserted by Plaintiff in this action, as detailed on Exhibit A hereto (“Instituted
9 IPRs”);

10 WHEREAS, several additional petitions for IPR of the Asserted Patents
11 remain pending with the PTAB, including a petition challenging the asserted claims
12 in the remaining Asserted Patent, as detailed on Exhibit A hereto (“Pending IPRs”);

13 WHEREAS, Defendants may file with the PTAB additional petitions for IPR
14 of the Asserted Patents (“Google IPRs”), which Defendants must file within a “year
15 after the date on which” Defendants were “served with a complaint alleging
16 infringement of the patent,” 35 U.S.C. § 315(b);

17 WHEREAS, to avoid unnecessary expenditure of judicial and party resources,
18 Plaintiff and Defendants desire to stay this action until the PTAB issues final written
19 decisions in the Instituted IPRs, the Pending IPRs, and any Google IPRs;

20 WHEREAS, the Court has not yet construed the disputed claim terms in this
21 action and the parties have not engaged in substantial discovery;

22 WHEREAS, staying this action pending the IPRs will allow the PTAB to
23 issue decisions on whether the challenged patent claims are unpatentable given the
24 prior art grounds set forth in the petitions.

25 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by
26 Plaintiff and Defendants as follows:

27
28

STIPULATION TO STAY CASE PENDING *INTER PARTES*

1 I, Zachary M. Briers, hereby attest that all signatories listed, and on whose
2 behalf the filing is submitted, concur in the filing's content and have authorized the
3 filing.

4

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DATED: May 2, 2019

By: /s/ Zachary M. Briers

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STIPULATION TO STAY CASE PENDING *INTER PARTES*

Exhibit A

The “Instituted IPRs” are listed in the chart below:

IPR Case Name	IPR No.	Challenged Patent
Netflix, Inc. v. Realtime Adaptive Streaming LLC	IPR2018-01169	'535 patent
Netflix, Inc. v. Realtime Adaptive Streaming LLC	IPR2018-01187	'477 patent
Netflix, Inc. v. Realtime Adaptive Streaming LLC	IPR2018-01189	'777 patent
Netflix, Inc. v. Realtime Adaptive Streaming LLC	IPR2018-01227	'298 patent
Sling TV, LLC et al. v. Realtime Adaptive Streaming LLC	IPR2018-01342	'535 patent
Netflix, Inc. v. Realtime Adaptive Streaming LLC	IPR2018-01630	'477 patent

The “Pending IPRs” are listed in the chart below:

IPR Case Name	IPR No.	Challenged Patent
Netflix, Inc. v. Realtime Adaptive Streaming LLC	IPR2019-00209	'046 patent
Arris Solutions, Inc. v. Realtime Adaptive Streaming LLC	IPR2019-00674	'535 patent
Comcast Cable Communications, LLC v. Realtime Adaptive Streaming LLC	IPR2019-00684	'535 patent
Google LLC v. Realtime Adaptive Streaming LLC	IPR2019-00748	'535 patent
Comcast Cable Communications, LLC v. Realtime Adaptive Streaming LLC	IPR2019-00760	'535 patent
Comcast Cable Communications, LLC v. Realtime Adaptive Streaming LLC	IPR2019-00786	'477 patent

STIPULATION TO STAY CASE PENDING *INTER PARTES*