

**UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

In Re: U.S. Patent No. 9,021,602 B2 : Attorney Docket No. 081841.0119
Inventor: Moskowitz, Scott A. :
Filed: Mar. 11, 2013 :
Issued: Apr. 28, 2015 : IPR No.: 2019-01449
Assignee: Wistaria Trading Ltd. :
Title: Data Protection Method
and Device :

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**PETITION FOR *INTER PARTES* REVIEW OF CLAIMS 1, 5, 8, AND 10 OF
U.S. PATENT NO. 9,021,602 UNDER 35 U.S.C. §§ 311-319 AND
37 C.F.R. §§ 42.100 *ET SEQ.***

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LIST OF EXHIBITS

Exhibit No.	Description of Document
1001	U.S. Patent No. 9,021,602 to Moskowitz <i>et al.</i> (“’602 Patent”)
1002	Declaration of Dr. Vijay K. Madiseti
1003	<i>Curriculum Vitae</i> of Dr. Vijay K. Madiseti
1004	File History for U.S. Patent No. 9,021,602
1005	File History for Reexamination Request No. 90/014,137 of U.S. Patent No. 9,021,602
1006	File History for U.S. Patent No. 9,104,842 (“parent ’842 Patent”)
1007	File History for Reexamination Request No. 90/014,138 of U.S. Patent No. 9,104,842
1008	U.S. Patent No. 5,757,907 to Cooper <i>et al.</i> (“Cooper”)
1009	First Amended Complaint for Patent Infringement, <i>Blue Spike LLC v. DISH Network Corporation</i> , Civil Action No. 1:19-cv-00160-LPS-CJB (filed Mar. 29, 2019) (“District Court Litigation”)
1010	Complaint, <i>Blue Spike LLC v. DISH Network Corporation et al.</i> , Nos. 6:18-CV-00333-RWS-KNM (E.D. Tex.), 1:18-CV-01512-LPS-CJB (D. Del.) (the “Prior Litigation”)
1011	Order Granting Joint Motion to Transfer to the District of Delaware and Stay All Deadlines, 6:18-CV-00333-RWS-KNM, ECF No. 19, entered in Prior District Court Litigation
1012	Notice of Voluntary Dismissal Without Prejudice, served in Prior District Court Litigation
1013	File History for U.S. Patent No. 6,598,162
1014	<i>Software Authorization Systems</i> , Paul A. Suhler <i>et al.</i> , IEEE Software (1986).

Petition for *Inter Partes* Review of U.S. Patent No. 9,021,602

Exhibit No.	Description of Document
1015	<i>Designing Software to be Used Up and Protecting it from Pirates</i> , Bryon K. Ehlmann, ACM SIGSMALL/PC Notes, vol. 11, issue 3 (Aug. 1985)

I. MANDATORY NOTICES UNDER 37 C.F.R. §42.8 AND FEES

Real Party in Interest Under 37 C.F.R. §42.8(b)(1): DISH Network Corporation, DISH Network L.L.C., and DISH Network Service L.L.C. (collectively, “Petitioner” or “DISH”) are the Petitioner. DISH is a provider of direct broadcast satellite services. Non-party DISH Technologies L.L.C. is a real party in interest. DISH Technologies L.L.C. provides set top boxes to DISH that are used to provide direct broadcast satellite services to customers.

Related Matters Under 37 C.F.R. §42.8(b)(2): U.S. Patent No. 9,021,602 is currently involved in a pending lawsuit involving Petitioner entitled, *Blue Spike LLC et al. v. DISH Network Corporation et al.*, United States District Court for the District of Delaware, Case No. 1:19-CV-00160-LPS-CJB (the “District Court Litigation”). *See* Ex[1009]. Patent Owner asserts U.S. Patent No. 9,021,602 against Petitioner in the District Court Litigation. *Id.* ¶¶ 98-110. Patent Owner asserted U.S. Patent No. 9,021,602 against Petitioner in an earlier lawsuit, entitled, *Blue Spike LLC v. DISH Network Corporation et al.*, Case Nos. 6:18-CV-00333-RWS-KNM (E.D. Tex.) and 1:18-CV-01512-LPS-CJB (D. Del.) (the “Prior Litigation”). *See* Ex[1010] 101-109. This prior lawsuit was transferred from the United States District Court for the Eastern District of Texas to the United States District Court for the District of Delaware, *see* Ex[1011], and subsequently voluntarily dismissed by Blue Spike, *see* Ex[1012]. DISH asserted Patent Owner lacked standing to bring these two initial lawsuits.

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