

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

Netflix, Inc. and Roku, Inc.,  
Petitioners,

v.

Uniloc 2017 LLC,  
Patent Owner.

---

PTAB Case No. IPR202020-00041  
Patent No. 8,407,609 B2

---

**PETITION FOR *INTER PARTES* REVIEW  
OF U.S. PATENT NO. 8,407,609**

## TABLE OF CONTENTS

	Page
EXHIBIT LIST .....	V
I. INTRODUCTION .....	1
II. MANDATORY NOTICES .....	2
A. Real party-in-interest.....	2
B. Related matters .....	2
C. Counsel and service information.....	3
III. REQUIREMENTS FOR <i>INTER PARTES</i> REVIEW .....	4
A. Grounds for standing.....	4
B. Overview of challenge and relief requested.....	4
1. Identification of prior art.....	4
2. Grounds for challenge.....	5
3. Statutory Ground(s) of Challenge and Legal Principles.....	5
C. The Board Should Exercise Its Discretion to Institute Review .....	5
IV. DESCRIPTION OF TECHNOLOGY .....	6
A. Overview of the technology .....	6
B. Overview of the '609 Patent.....	8
1. The Alleged Invention .....	9
2. The Challenged Claims.....	11
V. CLAIM CONSTRUCTION .....	12
A. “Computer System”.....	12
B. “Streamed” .....	13
VI. LEVEL OF ORDINARY SKILL IN THE ART.....	14
VII. SPECIFIC GROUNDS FOR PETITION.....	14
A. Ground I: Claims 1-3 were obvious over the combined teachings of Davis and Choi.....	14
1. Motivations to Combine Davis and Choi .....	14

## TABLE OF CONTENTS

(continued)

### Page

2.	Claim 1.preamble: “A method for tracking digital media presentations delivered from a first computer system to a user’s computer via a network comprising:” .....	18
3.	Claim 1.a: “providing a corresponding web page to the user’s computer for each digital media presentation to be delivered using the first computer system;” .....	22
4.	Claim 1.b: “providing identifier data to the user’s computer using the first computer system;” .....	24
5.	Claim 1.c: “providing an applet to the user’s computer for each digital media presentation to be delivered using the first computer system, wherein the applet is operative by the user’s computer as a timer;” .....	26
6.	Claim 1.d: “receiving at least a portion of the identifier data from the user’s computer responsively to the timer applet each time a predetermined temporal period elapses using the first computer system; and” .....	27
7.	Claim 1.e: “storing data indicative of the received at least portion of the identifier data using the first computer system;” .....	33
8.	Claim 1.f: “wherein each provided webpage causes corresponding digital media presentation data to be streamed from a second computer system distinct from the first computer system directly to the user’s computer independent of the first computer system;” .....	34
9.	Claim 1.g: “wherein the stored data is indicative of an amount of time the digital media presentation data is streamed from the second computer system to the user’s computer; and” .....	36
10.	Claim 1.h: “wherein each stored data is together indicative of a cumulative time the corresponding web page was displayed by the user's computer.” .....	39

**TABLE OF CONTENTS**  
(continued)

	<b>Page</b>
11. Claim 2: “The method of claim 1, wherein the storing comprises incrementing a stored value dependently upon the receiving.” .....	40
12. Claim 3: “The method of claim 2, wherein the received data is indicative of a temporal cycle passing.” .....	42
B. Ground II: Claims 1-3 were obvious over the combined teachings of Siler and Davis.....	43
1. Motivations to Combine Siler and Davis.....	43
2. Claim 1.preamble: “A method for tracking digital media presentations delivered from a first computer system to a user’s computer via a network comprising:” .....	46
3. Claim 1.a: “providing a corresponding web page to the user’s computer for each digital media presentation to be delivered using the first computer system;” .....	51
4. Claim 1.b: “providing identifier data to the user’s computer using the first computer system;” .....	53
5. Claim 1.c: “providing an applet to the user’s computer for each digital media presentation to be delivered using the first computer system, wherein the applet is operative by the user’s computer as a timer;” .....	54
6. Claim 1.d: “receiving at least a portion of the identifier data from the user’s computer responsively to the timer applet each time a predetermined temporal period elapses using the first computer system; and”.....	56
7. Claim 1.e: “storing data indicative of the received at least portion of the identifier data using the first computer system;” .....	59
8. Claim 1.f: “wherein each provided webpage causes corresponding digital media presentation data to be streamed from a second computer system distinct from the first computer system directly to the user’s computer independent of the first computer system;” .....	61

**TABLE OF CONTENTS**  
(continued)

	<b>Page</b>
9. Claim 1.g: “wherein the stored data is indicative of an amount of time the digital media presentation data is streamed from the second computer system to the user’s computer; and” .....	62
10. Claim 1.h: “wherein each stored data is together indicative of a cumulative time the corresponding web page was displayed by the user's computer.” .....	64
11. Claim 2: “The method of claim 1, wherein the storing comprises incrementing a stored value dependently upon the receiving.” .....	66
12. Claim 3: “The method of claim 2, wherein the received data is indicative of a temporal cycle passing.” .....	68
VIII. CONCLUSION.....	70

# 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.