

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

CODE200, UAB; TESO LT, UAB; METACLUSTER LT, UAB;  
OXYSALES, UAB; AND CORETECH LT, UAB;  
Petitioners,

v.

BRIGHT DATA LTD.,  
Patent Owner.

---

Case IPR2021-01492  
Patent No. 10,257,319

---

**PETITIONERS' REPLY TO PATENT OWNER'S OPPOSITION**

Mail Stop PATENT BOARD  
Patent Trial and Appeal Board  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TABLE OF CONTENTS**

I. THE BOARD SHOULD REJECT PO’S PROPOSED CONSTRUCTIONS FOR “CLIENT DEVICE” AND “SECOND SERVER” .....1

A. PO’s Proposed Constructions for “Client Device” are Inappropriate.....1

    1. PO’s proposed “client device” characteristics are highly subjective and indefinite .....2

    2. PO’s “client device” characteristics are not in the specification 4

B. PO’s Proposed Constructions for “Second Server” are Inappropriate.....6

    1. PO’s proposed “server” characteristics are highly subjective and indefinite.....7

    2. PO’s proposed “server” construction is unsupported by the specification .....8

C. PO’s Constructions Require Comparisons Between Unidentified Devices at Unidentified Points in Time .....10

D. Williams Cannot Consistently Apply His Own Constructions .....11

II. THE BOARD SHOULD APPLY THE DISTRICT COURT’S ROLE-BASED CONSTRUCTIONS .....12

A. The District Court Has Consistently Applied Role-Based Constructions 12

B. The District Court’s Constructions are Consistent with the Intrinsic Evidence .....13

C. PO’s Prosecution History Arguments are Unavailing .....15

III. CROWDS, MORPHMIX, AND BORDER INVALIDATE CLAIM 1.....17

A. The Prior Art Anticipates Claim 1 Under the Proper Role-Based Constructions .....17

    1. PO’s sole argument would render claim 1 nonsensical and impossible to practice .....17

    2. Crowds anticipates claim 1 .....19

    3. Border and MorphMix each anticipate claim 1 .....20

B. Claim 1 Is Obvious Under PO’s Proposed Constructions .....20

C. PO’s Arguments Regarding the Dependent Claims Lack Merit.....22

    1. Claim 18 is invalid .....22

    2. Claim 19 is invalid .....23

    3. Claim 24 is invalid .....23

D. “Teaching Away” Is Not Relevant.....23

E. PO’s Alleged Secondary Considerations of Non-Obviousness Lack  
    Nexus .....24

IV. PO’S CRITICISM OF MR. TERUYA LACKS MERIT .....26

V. CONCLUSION.....27

**TABLE OF AUTHORITIES**

*Celeritas Techs., Ltd. v. Rockwell Int’l Corp.*,  
150 F.3d 1354 (Fed. Cir. 1998).....24

*Datamize, LLC v. Plumtree Software, Inc.*,  
417 F.3d 1342 (Fed. Cir. 2005).....2

*Halliburton Energy Servs., Inc. v. M-I, LLC*,  
514 F.3d 1244 (Fed. Cir. 2008).....2

*Kyocera Senco Indus. Tools, Inc. v. ITC*,  
22 F.4th 1369, 1379 (Fed. Cir. 2022) .....5

*MeadWestVaco Corp. v. Rexam Beauty & Closures, Inc.*,  
731 F.3d 1258 (Fed. Cir. 2013).....23

*Nellcor Puritan Bennett, Inc. v. Masimo Corp.*,  
402 F.3d 1364 (Fed. Cir. 2005).....18

*SightSound Techs., LLC v. Apple Inc.*,  
809 F.3d 1307 (Fed. Cir. 2015).....16

*Ventana Medical Systems v. Biogenex Labs.*,  
473 F.3d 1173 (Fed. Cir. 2006).....16

**OTHER AUTHORITIES**

83 Fed. Reg. 51344, 51348.....13

**LISTING OF EXHIBITS**

<b>Ex. No.</b>	<b>Description</b>
1001	United States Patent No. 10,257,319 to Shribman <i>et al.</i>
1002	File History for United States Patent No. 10,257,319
1003	Petitioners' Chart of Challenged Claims
1004	Luminati's Opposition to Defendants' Motion to Dismiss, <i>Luminati Networks Ltd. v. Teso LT, UAB et al.</i> , 2:19-cv-00395-JRG (E.D. Tex.)
1005	Declaration of Keith J. Teruya with <i>curriculum vitae</i>
1006	Michael Reiter & Aviel Rubin, Crowds: Anonymity for Web Transactions, ACM Transactions on Information and System Security, Vol. 1, No. 1, Nov. 1998, at 66-92
1007	Declaration of Scott Delman (regarding Crowds)
1008	Marc Rennhard, MorphMix – A Peer-to-Peer-based System for Anonymous Internet Access (2004) (Doctoral Thesis)
1009	Declaration of Marc Rennhard (regarding MorphMix)
1010	Declaration of Bernhard Plattner (regarding MorphMix)
1011	Declaration of Andreas Berz (regarding MorphMix)
1012	United States Patent No. 6,795,848 to Border <i>et al.</i>
1013	Fielding, R. <i>et al.</i> , "Hypertext Transfer Protocol – HTTP/1.1", RFC 2616, June 1999
1014	Socolofsky, T. and C. Kale, "TCP/IP Tutorial", RFC 1180, January 1991
1015	Postel, J., "Internet Protocol", STD 5, RFC 791, September 1981
1016	Braden, R., Ed., "Requirements for Internet Hosts - Communication Layers", STD 3, RFC 1122, October 1989
1017	Claim Construction Opinion and Order, <i>Luminati Networks Ltd.</i>

# 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.