

Patent Owner's Prese

IPR2021-01492 and IPR2022-00915 of P
IPR2021-01493 and IPR2022-00916 of P

June 9, 2023

Introduction

- Overview of Patent No. 10,257,319 (“the ‘319 Patent”) and Patent No. 10,484,510 (“the ‘510 Patent”)(together, “the Challenged Patents”)
- Claim construction
- Failure to show anticipation or obviousness based on prior art related to MorphMix
- Secondary considerations of non-obviousness

Introduction

- Grounds in IPR2021-01492 and IPR2022-00915 of the '319 Patent (-915, Institution Decision at 9):

Claims Challenged	35 U.S.C. §	Reference
1, 19, 21-29	102	Crowds
1, 2, 14-15, 17-19, 21-29	103	Crowds a
1, 12, 14, 21-22, 24-25, 27-29	102	Border
1, 12, 14-15, 17-19, 21-22, 24-25, 27-29	103	Border a
1, 17, 19, 21-29	102	MorphM
1, 2, 14-15, 17-19, 21-29	103	MorphM

Introduction

- Grounds in IPR2021-01493 and IPR2022-00916 of the '510 Patent (-916, Institution Decision at 8):

Claims Challenged	35 U.S.C. §	Referenc
1, 6, 7, 13, 15-16, 18-24	102	Crowds
1, 2, 6-11, 13, 15-16, 18-24	103	Crowds a
1, 6, 10, 15-20, 23-24	102	Border
1, 6, 8-11, 13, 15-20, 22-24	103	Border a
1, 6-8, 13, 15-16, 18-24	102	MorphM
1, 2, 6-11, 13, 15-16, 18-24	103	MorphM

Introduction

- Notably, the Code200 Petitioners (“Oxylabs”) allege that Crowds asserted claims of the ‘319 and ‘519 patents in a jury trial in Case No. 2:19-cv-395 (E.D. Tex.) (the ‘319 and ‘519 jury trial).
 - The independent claims recite a “**second server**” which is configured to receive data from a first server and to store the data on the second server.
- **The jury rejected the Code200 Petitioners’ argument that Crowds anticipated by Crowds**

• -1492 Sur-reply at 5-6 EX 2001 • -1493 Sur-reply at 5-6

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