UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD
Google LLC, Petitioner
V.
WAG Acquisition, L.L.C., Patent Owner
IPR2022-01412
U.S. Patent No. 9,742,824 B2 Issue Date: August 22, 2017

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 9,742,824 B2

Title: STREAMING MEDIA DELIVERY SYSTEM



Page

1.	muro	oduction			
II.	Mandatory Notices under § 42.8(A)(1)				
	A.	Real Parties-In-Interest under § 42.8.(b)(1)			
	B.	Rela	ted Matters under § 42.8(b)(2)	1	
	C.	Lead	and Back-Up Counsel under § 42.8(b)(3)	2	
	D.	Service Information			
III.	Fee l	Payment Under § 42.103			
IV.	Requ	Requirements under §§ 42.104 and 42.108			
	A.	Grounds for Standing			
	B.	Identification of Challenge and Statement of Precise Relief Requested			
	C.	Disc	retionary Denial is Not Appropriate Here	4	
		1.	Discretionary Denial Under <i>General Plastic</i> Is Not Appropriate	4	
		2.	Discretionary Denial Under 35 U.S.C. § 314(a) is Not Appropriate	<i>6</i>	
		3.	Discretionary Denial Under 35 U.S.C. § 325(d) is Not Appropriate	8	
V.	Overview of the '824 Patent			8	
	A.	Level of Ordinary Skill in the Art			
	B.	Priority Date			
	C.	The Challenged Claims			
	D.	Clair	n Listing	9	
VI.	Clair	n Cons	struction	9	
VII.	The Challenged Claims are Obvious				
	A. Summary and Date Qualification of the Prior Art			10	
		1.	Carmel [EX1003]	10	



(continued)

Page

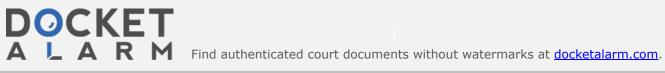
	2.	Ravi	[EX1004]	.13
	3.	Naray	yan [EX1005]	.13
B.	Clain	ns 1-12	2 Are Obvious Over Carmel	.14
	1.	Clain	n 1	.14
		a.	"A method for distributing over the Internet, from a server system to one or more user systems, a pre- recorded audio or video program stored in a digitally encoded form on computer-readable media, the method comprising:" (Claim 1 [preamble])	.14
		b.	"reading, by at least one computer of the server system, the pre-recorded audio or video program from the computer-readable media;" (Claim 1[a])	.15
		c.	Supplying, at the server system, media data elements representing the program, each media data element comprising a digitally encoded portion of the program and having a playback rate;" (Claim 1[b])	.16
		d.	"serially identifying the media data elements, said serial identification indicating a time sequence of the media data elements;" (Claim 1[c])	.19
		e.	"storing the media data elements in a data structure under the control of the server system;" (Claim 1[d])	.22
		f.	"receiving requests at the server system via one or more data connections over the Internet, for one or more of the media data elements stored in the data structure, each received request specifying one or more serial identifiers of the requested one or more media data elements, each received request originating from a requesting user system of the one or more user systems; and" (Claim 1[e])	.23



(continued)

_			
ν	a	a	0
1	а	Z	τ

g.	"responsive to the requests, sending, by the server system, the one or more media data elements having the one or more specified serial identifiers, to the requesting user systems corresponding to the requests; wherein" (Claim 1[f])	29
h.	"the data connection between the server system and each requesting user system has a data rate more rapid than the playback rate of the one or more media data elements sent via that connection;" (Claim 1[f(i)])	30
i.	"each sending is at a transmission rate as fast as the data connection between the server system and each requesting user system allow;" (Claim 1[f(ii)])	34
j.	"the one or more media data element sent are selected without depending on the server system maintaining a record of the last media data element sent to the requesting user systems;" (Claim 1[f(iii)])	37
k.	"all of the media data elements that are sent by the server system to the one or more user systems are sent in response to the requests; and" (Claim 1[f(iv)])	40
1.	"all of the media data elements that are sent by the server system to the requesting user systems are sent from the data structure under the control of the server system as the media data elements were first stored therein." (Claim $1[f(v)]$)	41
	1 2: "The method of claim 1 wherein the serial fiers are sequential."	44
	1 3: "The method of claim 1, wherein the sending is reliable transmission protocol."	45



2.

3.

(continued)

Page

		4.	Claim 4: "The method of claim 3, wherein the reliable transmission protocol is TCP."	46
		5.	Claim 5 (Independent)	46
		6.	Dependent Claims 6-8	52
		7.	Claim 9 (Independent)	53
		8.	Dependent claims 10-12	56
	C.		round 2: Claims 1-12 Are Obvious Over Carmel in view of avi.	
	D.	D. Ground 3: Claims 1-12 Are Obvious Over Carmel in view of Narayan.		
VIII.	Secondary Considerations			67
IX.	Conclusion67			
CERT	ΓIFIC	ATE C	OF SERVICE	70



DOCKET A L A R M

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.

