

Declaration of Nathaniel Polish in Support of
Petition for *Inter Partes* Review of
U.S. Patent No. 9,762,636 B2

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Google LLC,
Petitioner

v.

WAG Acquisition, L.L.C.
Patent Owner

IPR2022-01413

U.S. Patent No. 9,762,636 B2
Issue Date: September 12, 2017

Title: STREAMING MEDIA DELIVERY SYSTEM

DECLARATION OF NATHANIEL POLISH, Ph.D.

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Petition for *Inter Partes* Review of
U.S. Patent No. 9,762,636 B2

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(a)	“receiving at the server system a continuous digitally encoded stream for the audio or video program, via a data connection from a live source, in real time, the server system comprising at least one computer;” (claim 1[a])	55
(b)	“upon receipt of the stream by the server system,” (claim 1[b])	59
(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(i)]).....	60
(d)	“serially identifying the media data elements, said serial identification indicating a time sequence of the media data elements, and” (claim 1[b(ii)]).....	65
(e)	“storing the media data elements in a data structure under the control of the server system;” (claim 1[b(iii)])	68
(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,” (claim 1[c])	69
(g)	“each received request specifying one or more serial identifiers of the requested one or more media data elements,” (claim 1[c(i)])	71
(h)	“each received request originating from a requesting user system of a plurality of user systems;” (claim 1[c(ii)]).....	74
(i)	“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[d])	78

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(j) “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[d(i)]).....	80
(k) “each sending is at a transmission rate as fast as the data connection between the server system and each requesting user system allows;” (claim 1[d(ii)])	90
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