UNITED STATES PATENT AND TRADEMARK OFFICE

───────────────

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**
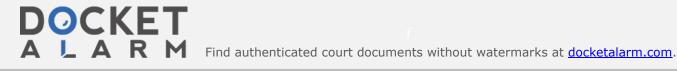
───────────────

Charter Communications, Inc.

Petitioner

v.

Sprint Communications Company

Patent Owner

Patent No. 6,757,907
Case No. IPR2019-1135

**PETITION FOR *INTER PARTES* REVIEW**

# TABLE OF CONTENTS

## LIST OF EXHIBITS

| Exhibit | Description |
|---------|-------------|
| Ex. 1001 | U.S. Patent No. 6,757,907 to Schumacher et al. ("the '7907 patent") |
| Ex. 1002 | Declaration of Kevin C. Almeroth ("Almeroth") |
| Ex. 1003 | Curriculum Vitae of Kevin C. Almeroth, Ph.D. |
| Ex. 1004 | Prosecution History of U.S. Patent No. 6,757,907 |
| Ex. 1005 | U.S. Patent No. 6,496,122 to Sampsell ("*Sampsell*") |
| Ex. 1006 | European Patent Application EP 0 872 987 A2 to Yosuke ("*Yosuke*") |
| Ex. 1007 | WO 92/22983 to Browne et al. ("*Browne*") |
| Ex. 1008 | RESERVED - OMITTED |
| Ex. 1009 | U.S. Patent No. 6,182,094 to Humpleman et al. ("*Humpleman*") |
| Ex. 1010 | Claim Construction Order from *Comcast Cable Commc'ns, LLC v. Sprint Commc'ns Co., LP*, Case No. 2:12-cv-859-JD, Dkt. 162 (Aug. 15, 2014, E.D. Pa.) ("Comcast Claim Construction Order") |
| Ex. 1011 | Sprint's Opening Claim Construction Br. from *Comcast Cable Commc'ns, LLC v. Sprint Commc'ns Co., LP*, Case No. 2:12-cv-859-JD, Dkt. 162 (Aug. 15, 2014, E.D. Pa.) ("Sprint Claim Construction Br.") |

## I. PRELIMINARY STATEMENT

Petitioner requests IPR and cancellation of claims 1-53 of the '7907 patent (Ex. 1001).[1]  These claims are directed to a video-on-demand ("VOD") system that allows the viewer to use a computer—instead of a set-top box—to remotely control the display of video content.  ('7907 patent, 1:24-26.)  The '7907 patent explains that, when it was filed in 2000, VOD systems already allowed a viewer to use a television set-top box to remotely control the display of video content.  ('7907 patent, 1:23-35.)  However, the '7907 patent emphasized that using a set-top box for remote control was undesirable because it was a "special component" that could not be used for other purposes, such as "offer[ing] a selection of displays and bandwidths."  ('7907 patent, 1:38-43.)  The '7907 patent attempts to overcome this alleged shortcoming by simply replacing the set-top box with a computer that allows the viewer to remotely control video content displayed on the television, using a high bandwidth to transfer the video content, or displayed on the computer itself, using a lower bandwidth to transfer the video content.  ('7907 patent, 1:46-55, Abstract.)

But the concept of using a computer to replace a set-top box for remotely controlling video content displayed on a television or on the computer itself was

---

[1] In a separate, concurrently filed *Inter Partes* Review Petitions, IPR2019-1137 and IPR2019-1139, Petitioner request cancellation of the same claims from the '7907 patent.

well-known before the '7907 patent. For example, *Sampsell* discloses a video display system capable of displaying remotely stored video signals on a television or a remote-control display. (*Sampsell*, Abstract, 2:18-29.) Just like in the '7907 patent, the viewer in *Sampsell* can use the remote-control display to select the remotely stored video content to view and select the display (either the television or the remote-control display) on which to view the selected video content. (*Sampsell*, 7:54-8:2.)

Beyond *Sampsell*, the concept of using a computer to remotely control a video system was known as early as 1991 in *Browne* and continued to be a known concept of controlling a VOD system, as shown in *Yosuke* and *Humpleman*, before the invention of the '7907 patent. Similarly, the concept of varying the bandwidth for transmitting video content depending on the display has also been a known concept for proving user flexibility, as demonstrated in *Yosuke*. Accordingly, the '7907 patent's claimed technology was well-known prior to the invention of the '7907 patent, and rendered obvious by the art submitted in this Petition.

## II. THE '7907 PATENT

### A. Overview of the '7907 Patent

The '7907 patent's three independent claims (1, 21, and 41) are generally directed to methods and systems for using a computer to remotely control a VOD system, and offering the user the choice of transferring the selected video content

# DOCKET ALARM

# 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.

fastcase®
Smarter legal research.