JNITED STATES PATENT AND TRADEMARK OFFIC
BEFORE THE PATENT TRIAL AND APPEAL BOARD
CHARTER COMMUNICATIONS, INC.,
Petitioner
V.
SPRINT COMMUNICATIONS COMPANY L.P.,
Patent Owner
Case IPR2019-01139
Patent No. 6,757,907

#### PATENT OWNER'S PRELIMINARY RESPONSE

# **Table of Contents**

I.	Intro	oduction1			1		
II.	Relevant Factual Background						
	A.	The '7907 Patent					
	В.	The	7907	Claims	5		
III.	The Asserted Grounds						
	A.	Humpleman					
	B.	Yosuke1					
	C.	Ellis14					
IV.	Leve	el of Ordinary Skill16					
V.	Clair	nim Construction16					
VI.	Petitioner Fails to Show a Reasonable Likelihood of Prevailing on Any Claim						
	A.	Legal Standard					
	B.			n Does Not Anticipate the Challenged Claims	9		
		1.		pleman does not teach transferring a <i>control screen signal</i> ement [B] requires20			
			a)	Under Petitioner's primary mapping, Element [B] is not satisfied.			
			b)	Petitioner's mapping assumes an incorrect location of the <i>alleged processing system</i> , and Humpleman—read correctly—does not anticipate the '7907 claims22			
			c)	Element [B] is not satisfied under Petitioner's alternative mapping either.			



		2.	Humpleman does not teach "a processing system configured to receive a viewer control signal from the second communication interface," as Element [C] requires27		
	3	3.	a firs in a v	pleman's session manager cannot transfer <i>video signals</i> to <i>t</i> or <i>second communication interface</i> based on indications <i>viewer control signal</i> and therefore does not satisfy ent [C]	
			a)	Humpleman does not disclose that the alleged processing system transfers video signals as disclosed in Element [C].	
			b)	Humpleman does not disclose that video signals are transferred to the alleged first or second communication interfaces.	
			c)	Under Petitioner's alternative mapping, Humpleman still fails to disclose Element [C] for the same reasons32	
		4.		oner fails to demonstrate a reasonable likelihood that it d prevail on Ground 1 for any claim3.	3
	C.			nged Claims Would Not Have Been Obvious over and Yosuke (Ground 2)	3
	D.			nged Claims Would Not Have Been Obvious over n and Ellis (Ground 3)34	4
VII.				Exercise Discretion to Deny Institution on Multiple ags	5
VIII.	Conclusion				6



# **TABLE OF AUTHORITIES**

	Page(s)
Cases	
In re Magnum Oil Tools Int'l Ltd., 829 F.3d 1364 (Fed. Cir. 2016)	18
<i>In re Nuvasive</i> , 841 F.3d 966 (Fed. Cir. 2016)	18
In re Robertson, 169 F.3d 743 (Fed. Cir. 1999)	27
Intelligent Bio-Sys., Inc. v. Illumina Cambridge Ltd., 821 F.3d 1359 (Fed. Cir. 2016)	18
Net MoneyIN, Inc. v. VeriSign, Inc., 545 F.3d 1359 (Fed. Cir. 2008)	18
Ortho-McNeil Pharm., Inc. v. Mylan Labs., Inc., 520 F.3d 1358 (Fed. Cir. 2008)	18
PersonalWeb Techs., LLC v. Apple, Inc., 848 F.3d 987 (Fed. Cir. 2017)	18
Phillips v. AWH Corp., 415 F.3d 1303 (Fed. Cir. 2005)	16
Star Scientific, Inc. v. R.J. Reynolds Tobacco Co., 655 F.3d 1364 (Fed. Cir. 2011)	18
Statutes	
35 U.S.C. § 312(a)	18
35 U.S.C. § 314(a)	18
Other Authorities	
37 C.F.R. § 42.100(b)	16



37 C.F.R.	§ 42.104(b)(4)	18
37 C F R	8 42 108(c)	18



# DOCKET

# 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.

