

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NETFLIX, INC.,  
Petitioner,

v.

BROADCOM CORPORATION,  
Patent Owner.

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IPR2020-01423  
Patent 6,341,375 B1

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Before MELISSA A. HAAPALA, *Vice Chief Administrative Patent Judge*,  
and THOMAS L. GIANNETTI and JAMES A. WORTH, *Administrative  
Patent Judges*.

GIANNETTI, *Administrative Patent Judge*.

JUDGMENT  
Final Written Decision  
Determining All Challenged Claims Unpatentable  
*35 U.S.C. § 318(a)*

## I. INTRODUCTION

Netflix, Inc. (“Petitioner”) filed a Petition pursuant to 35 U.S.C. §§ 311–319 to institute an *inter partes* review of claims 1–6, 9–15, and 17–19 of U.S. Patent No. 6,341,375 B2 (Ex. 1001, “the ’375 patent”). Paper 2 (“Pet.”). Broadband Corp. (“Patent Owner”) filed a Preliminary Response. Paper 6 (“Prelim. Resp.”).

Pursuant to 35 U.S.C. § 314, we instituted this *inter partes* review as to all of the claims challenged and all grounds raised in the Petition. Paper 7 (“Inst. Dec.”).

Following institution, Patent Owner filed a Response. Paper 16 (“PO Resp.”). Subsequently, Petitioner filed a Reply to Patent Owner’s Response (Paper 19, “Pet. Reply”), and Patent Owner filed a Sur-reply (Paper 20, “PO Sur-reply”).

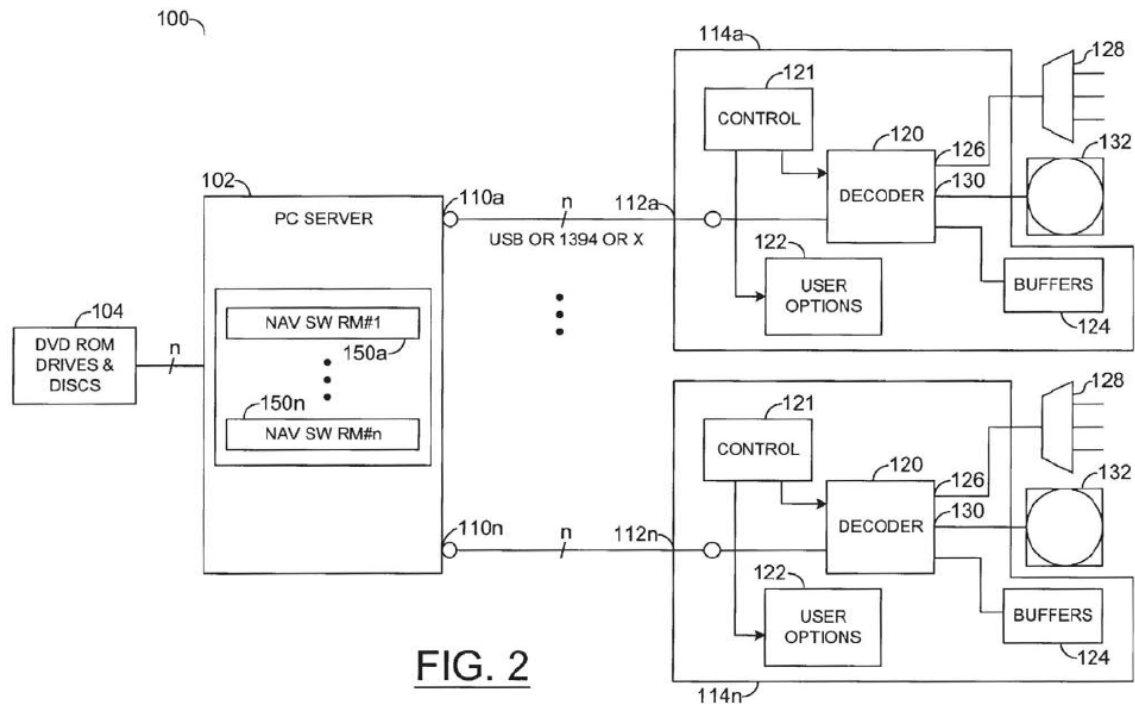
On December 9, 2021, we held an oral hearing. A transcript of the hearing is included in the record. Paper 28 (“Hearing Tr.”).

We have jurisdiction under 35 U.S.C. § 6. This decision is a Final Written Decision, issued pursuant to 35 U.S.C. § 318(a). For the reasons we discuss below, we determine that Petitioner has proven by a preponderance of the evidence that claims 1–6, 9–15, and 17–19 of the ’375 patent are unpatentable.

## II. BACKGROUND

### A. *The ’375 Patent*

The ’375 patent describes a video on demand system. Ex. 1001, 1:4–5. Figure 2 of the ’375 patent is reproduced below:



**FIG. 2**

Figure 2 depicts a DVD video on demand system in accordance with a preferred embodiment. *Id.* at 2:18–19, 2:29–31. Video on demand system 100 comprises server 102, disk library 104, and remote decoders 114a–114n. *Id.* at 2:31–34, 2:43. Disk library 104 includes one or more DVD drives and associated disks that present one or more signals to server 102. *Id.* at 2:34–36. Server 102 presents a number of compressed bitstreams (e.g., DVD bitstreams) at outputs 110a–110n that are received at inputs 112a–112n located in individual remote decoders 114a–114n. *Id.* at 2:39–43. The '375 patent describes that in some embodiments, a single bitstream may be sent to a number of remote decoders 114a–114n. *See id.* at 5:31–32.

Remote decoders 114a–114n may be located in a set-top box or the tuner of a television. *Id.* at 2:43–46. Each remote decoder 114a–114n comprises decoder 120, control 121, user options input interface 122, and one or more buffers 124. *Id.* at 2:53–56. Decoder 120 presents decoded audio signals to one or more speakers 128 via output 126. *Id.* at 2:58–60.

Decoder 120 also presents, via output 130, decoded video signals to video display 132 (e.g., television or computer monitor). *Id.* at 2:60–63.

### *B. Illustrative Claim*

Claims 1, 13, and 15 are independent claims. Claim 1 is illustrative of the subject matter at issue:<sup>1</sup>

1. [preamble] An apparatus comprising:

[1a] a drive server configured to present a plurality of compressed data streams in response to one or more first control signals;

[1b] a control server configured to present said one or more compressed data streams received from said drive server in response to one or more request signals; and

[1c] one or more decoder devices, at least one of said one or more decoder devices being disposed in a separate room from said control server and said drive server, each of said one or more decoder devices being configured to (i) decode at least one of said one or more compressed data streams received from said control server and (ii) present at least one signal selected from a decoded video signal and a decoded audio signal in response to decoding said one or more compressed data streams,

[1d] wherein a first portion of a selected one of said compressed data streams is presented to one of said decoder devices and a second portion of said selected compressed data stream is presented to another of said decoder devices.

### *C. References*

Petitioner relies on the following references:

1. U.S. Patent 5,583,561, issued Dec. 10, 1996 (“Baker”) (Ex. 1004).
2. U.S. Patent 5,721,878, issued Feb. 24, 1998 (“Ottesen”) (Ex. 1005).

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<sup>1</sup> References in square brackets were added to mirror those provided by Petitioner.

3. U.S. Patent 5,828,370, issued Oct. 27, 1998 (“Moeller”) (Ex. 1006).

Petitioner further relies on testimony of James A. Storer, Ph.D. (Ex. 1003, “Storer Decl.”; Ex. 1030, “Storer Reply Decl.”). Patent Owner relies on the testimony of Ghassan AlRegib, Ph.D. (Ex. 2001, “AlRegib Decl.”). The parties have submitted deposition transcripts for these declarants.<sup>2</sup>

#### *D. Grounds Asserted*

Petitioner challenges the patentability of the claims of the ’375 patent as obvious over the following references:

<b>Claims Challenged</b>	<b>Statutory Basis 35 U.S.C.<sup>3</sup></b>	<b>Reference(s)</b>
1, 2, 4–6, 10, 11, 15, 18, 19	§ 103	Baker
9, 12, 18	§ 103	Baker, Ottesen
3, 13, 14, 17	§ 103	Baker, Moeller

#### *E. Related Proceedings*

Petitioner and Patent Owner identify the following district court litigation involving the ’375 patent: *Broadcom Corp. v. Netflix, Inc.*, Case No. 3:20-cv-04677-JD (N.D. Cal.). Pet. 70; Paper 4, 1. Patent Owner additionally identifies the following related litigations: (1) *Broadcom Corp. v. Netflix, Inc.*, Case No. 8:20-cv-00529-JVS-ADS (C.D. Cal.); and (2) *Broadcom Corporation v. Amazon.com, Inc. et al.*, Case No. 8:16-cv-01774-JVS-JCGx (C.D. Cal.). Paper 4, 1.

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<sup>2</sup> Ex. 1009 (“AlRegib Dep.”), Ex. 2002 (“Storer Dep.”).

<sup>3</sup> The Leahy-Smith America Invents Act (“AIA”), Pub. L. No. 112-29 amended 35 U.S.C. §103. Because the application from which the ’375 patent issued was filed before March 16, 2013, the pre-AIA version of 35 U.S.C. §103 applies.

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