

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TESO LT, UAB; CODE200, UAB; METACLUSTER LT, UAB; AND
OXYSALES, UAB, Petitioners,

v.

LUMINATI NETWORKS LTD.,
Patent Owner.

Case IPR2020-00249
Patent No. 10,637,968

**PETITION FOR INTER PARTES REVIEW
OF U.S. PATENT NO. 10,637,968**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	STATUTORY PREDICATES	1
A.	Mandatory Notices (37 CFR § 42.8).....	1
1.	Real Parties-In-Interest.....	1
2.	Related Matters	1
3.	Lead and Back-Up Counsel	3
4.	Service Information.....	4
B.	Payment of Fees (37 CFR § 42.103).....	4
C.	Certification of Standing (37 CFR § 42.104(a))	4
D.	Identification of Challenges (37 CFR § 42.104(b)(1)-(2))	5
III.	INSTITUTION SHOULD BE GRANTED (35 U.S.C. § 314(a)).....	5
A.	Factor 1	6
B.	Factor 2	6
C.	Factor 3	7
D.	Factor 4	8
E.	Factor 5	8
F.	Factor 6	8
IV.	OVERVIEW OF THE PATENT.....	9
A.	Claims.....	9
B.	Specification.....	9
C.	Priority Date	10
V.	LEVEL OF SKILL IN THE ART	10
VI.	CLAIM CONSTRUCTION (37 CFR § 42.104(b)(3)).....	11
VII.	OVERVIEW OF PRIOR ART REFERENCES.....	11
A.	MorphMix	11
B.	Cottrell.....	12
C.	RFC 2616	12

VIII. GROUNDS FOR INVALIDITY (37 CFR § 42.104(b)(4)-(5)).....	13
A. GROUND 1: ANTICIPATION OF CLAIMS 1-2, 13-17, 26-28 BY MORPHMIX.....	13
1. Claim 1	15
a) Preamble.....	15
b) Claim Step (a) (“identifying, by the requesting client device, an HTTP or HTTPS request for the first content”).....	16
c) Claim Step (b) (“selecting, by the requesting client device, an IP address from the list”)	19
d) Claim Step (c) (“sending, by the requesting client device, to the second server using the second IP address over the Internet in response to the identifying and the selecting, the first content identifier and the selected IP address”).....	20
e) Claim Step (d) (“receiving, by the requesting client device, over the Internet in response to the sending, from the second server using the selected IP address, the first content”).....	22
2. Claim 2	24
3. Claim 13	26
4. Claim 14	26
5. Claim 15	27
6. Claim 16	29
7. Claim 17	30
8. Claim 26	31
9. Claim 27	32
10. Claim 28	33
B. GROUND 2: OBVIOUSNESS OF CLAIMS 1-2, 8-9, 11-18, 26-28 BY MORPHMIX + RFC 2616 + GENERAL KNOWLEDGE.....	34
1. Claim 1	36
2. Claim 2	38
3. Claims 8-9	39
4. Claims 11-12	40
5. Claim 15-16.....	41
6. Claim 18	43

7. Claims 13-14, 17, 26-28.....	44
C. GROUND 3: OBVIOUSNESS OF CLAIMS 1-2, 8-9, 11-12, 15-18, 24, 26-28 BY COTTRELL + RFC 2616 + GENERAL KNOWLEDGE	44
1. Claim 1	49
a) Preamble.....	49
b) Claim Step (a) (“identifying, by the requesting client device, an HTTP or HTTPS request for the first content”).....	49
c) Claim Step (b) (“selecting, by the requesting client device, an IP address from the list”).....	52
d) Claim Step (c) (“sending, by the requesting client device, to the second server using the second IP address over the Internet in response to the identifying and the selecting, the first content identifier and the selected IP address”).....	54
e) Claim Step (d) (“receiving, by the requesting client device, over the Internet in response to the sending, from the second server using the selected IP address, the first content”).....	59
2. Claim 2	62
3. Claims 8-9	63
4. Claims 11-12	63
5. Claims 15-16.....	65
6. Claims 17-18	66
7. Claim 24.....	67
8. Claim 26	67
9. Claim 27.....	68
10.Claim 28	68

EXHIBIT LIST

Exhibit No.	Description
1001	United States Patent No. 10,637,968 to Shribman, et al.
1002	File History for United States Patent No. 10,637,968
1003	Amended Complaint for Patent Infringement, <i>Luminati Networks Ltd. v. Code200, UAB, et al.</i> , 2:19-cv-00396-JRG (E.D. Tex.)
1004	Minute Entry: Scheduling Conference, <i>Luminati Networks Ltd. v. Code200, UAB, et al.</i> , 2:19-cv-00396-JRG (E.D. Tex.)
1005	Docket Control Order, <i>Luminati Networks Ltd. v. Code200, UAB, et al.</i> , 2:19-cv-00396-JRG (E.D. Tex.)
1006	Luminati Mtn. to Consolidate and Reset Trial, <i>Luminati Networks Ltd. v. UAB Tesonet, et al.</i> , 2:18-cv-00299-JRG (E.D. Tex.)
1007	Order: Pretrial Conference, <i>Luminati Networks Ltd. v. UAB Tesonet, et al.</i> , 2:18-cv-00299-JRG (E.D. Tex.)
1008	<i>Order, Infernal Tech., LLC v. Sony Interactive Ent. LLC</i> , 2:19-cv-00248-JRG (E.D. Tex.)
1009	Complaint for Patent Infringement, <i>Luminati Networks Ltd. v. Teso LT, UAB, et al.</i> , 2:19-cv-00395-JRG (E.D. Tex.)
1010	Petitioner's Chart of Challenged Claims
1011	Declaration of Michael Freedman, Ph. D. with curriculum vitae and testifying list
1012	Network Working Group, RFC 2616
1013	Rennhard, Marc, <i>MorphMix – A Peer-to-Peer-based System for Anonymous Internet Access</i> (2004) (Doctoral Thesis)
1014	Declaration of Marc Rennhard (regarding MorphMix)
1015	Declaration of Bernhard Plattner (regarding MorphMix)
1016	Declaration of Andreas Berz (regarding MorphMix)
1017	United States Patent App. Pub. No. 2008/0196098 to Cottrell
1018	Network Working Group, RFC 1122
1019	United States Patent App. Pub. No. 2006/0059091 to Wang
1020	United States Patent No. 7,007,228 to Carro
1021	ACM Award Winners, Michael J. Freedman
1022	Luminati's Opposition to Defendants' Rule 12(b)(6) Motion to Dismiss, <i>Luminati Networks Ltd. v. Code200, UAB, et al.</i> , 2:19-cv-00396-JRG (E.D. Tex.)
1023	Network Working Group, RFC 791
1024	Network Working Group, RFC 2460

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.