

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NETFLIX, INC.,
Petitioner

v.

VL COLLECTIVE IP LLC,
Patent Owner

Case IPR2023-00891
Patent 8,605,794

PATENT OWNER'S DISCOVERY REQUESTS TO PETITIONER

1. Patent Owner, VL Collective IP LLC (VL Collective), requests that Petitioner, Netflix, Inc. (Netflix), produce the following documents or information and respond to the following document requests and special interrogatories.

I. INSTRUCTIONS

2. In producing documents or other information responsive to these Requests for Production (“RFPs”), Petitioner is to comply with the Federal Rules of Civil Procedure 26 and 34, the Board’s Scheduling Order, and any other Board Order in this proceeding, and the instructions in the Patent Trial and Appeal Board Practice Guide.

3. For each Request, identify any responsive document that Petitioner is aware of but cannot produce because it has been lost or destroyed or is no longer in Petitioner’s possession, custody, or control.

4. If Petitioner believes the meaning of any term in any Request is unclear, Petitioner should assume a reasonable meaning, state what the assumed meaning is, and produce documents and things or provide information on the basis of that assumed meaning.

5. For any document responsive to a Request that Petitioner withholds on the basis of privilege, Petitioner shall provide a privilege log identifying the document’s date, author(s), recipient(s), subject matter, and the basis of the asserted privilege.

II. DEFINITIONS

6. “Netflix” or “Petitioner” means Netflix, Inc. and all its current and former parents, subsidiaries, affiliates, predecessors, successors, employees, managers, officers, directors, partners, agents, representatives, attorneys, or anyone acting or purporting to act on its behalf or control.

7. “VL Collective” or “Patent Owner” means VL Collective, LLC and all its current and former parents, subsidiaries, affiliates, predecessors, successors, employees, managers, officers, directors, partners, agents, representatives, attorneys, or anyone acting or purporting to act on its behalf or control.

8. “Unified” means Unified Patents, LLC and all its current and former parents, subsidiaries, affiliates, predecessors, successors, employees, managers, officers, directors, partners, agents, representatives, attorneys, or anyone acting or purporting to act on its behalf or control.

9. “Patent” means U.S. Patent No: 8,605,794.

10. The term “Communication” shall mean the transmittal of information, in the form of facts, ideas, inquiries, or otherwise.

III. REQUESTS

A. Special Interrogatories

11. **Interrogatory No. 1:** Identify all dates when Petitioner was a member of Unified from January 1, 2020 until present.

12. **Interrogatory No. 2:** Identify, by amount, date and purpose of payment, all payments, including without limitation subscription fee payments and initiation payments, made by Petitioner to Unified from January 1, 2020 until present.

B. RFPs

13. **RFP 1:** All agreements between Petitioner and Unified, operative at any time since January 1, 2020.

14. **RFP 2:** All communications, and all documents evidencing communications, between Netflix and Unified regarding IPR2022-01086, IPR2023-00891, and the Patent.

C. Deposition Request

15. If Netflix provides a declaration from a witness familiar with the documents it is producing, Patent Owner requests a 4-hour deposition of that witness.

Dated: February 28, 2024

Respectfully submitted,
/s/ Christine E. Lehman
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