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Subject: Re: IPR2023-00953: Request for Discovery - Duration Media LLC v. Rich Media Club LLC
Date: Monday, October 30, 2023 4:47:36 PM

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Dear Board,

Patent Owner has requested certain discovery, which Duration Media opposes. Patent Owner requests a call with the Board to authorize the following discovery:

- Deposition of Andy Batkin, Duration Media's CEO, relating to the objective indicia of non-obviousness including copying and commercial success.
- Deposition of Joel Bock relating to the objective indicia of non-obviousness relating to copying matter from RMC's patent (or patent application) in the submission of a later patent application for Duration Media.
- To address Duration Media's objections regarding exhibits used at the deposition of Dr. Smedley, depositions of third parties to authenticate documents and demonstrate that they are not hearsay. These third parties include the Interactive Advertising Bureau (the IAB), the Media Rating Council (MRC), and Google.
- Discovery to address Petitioner's objection to documents obtained from the Internet Archive/Wayback Machine

Petitioner does not waive its objections to authenticity, relevance, and hearsay for evidence that was introduced in the deposition of Dr. Smedley and opposes Patent Owner's request for depositions because there is no good cause.

The parties are available for a call at the following Eastern Standard times:

Tuesday, Oct. 31 @ 1:30-3 or 4-5
Wednesday, Nov. 1 @ 1:30-5
Thursday, Nov. 2 @ 2-4

Please let us know whether you authorize the motion or would like to have a call to discuss.

Best regards,
David Berten
Counsel for Patent Owner

IPR2023-00953
Ex. 3002