

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Duration Media LLC
Petitioner,

v.

Rich Media Club LLC
Patent Owner.

US Patent No. 11,443,329

Filing Date: May 11, 2021

Issue Date: September 13, 2022

Title: System And Method For Creation, Distribution And tracking Of Advertising
Via Electronic Networks

RESPONSE TO INTERROGATORY ONE

Petitioner responds to the modified interrogatories as order by the Board in Paper 34 as follows.

I. Interrogatory 1

For each of the years 2018–2023, state your revenue from the sale of services relating to replacing a first ad on a webpage with a second ad upon a determination that the ad space including the first ad is in or near the portion of a webpage that is visible to the user.

The table below states Duration’s total income, without deducting costs and expenses, from 2018–Present that it received from a second ad placement.

2018	2019	2020	2021	2022	'23–Present
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

The table below states Duration’s total US income, *i.e.*, removing foreign income based on data from the Google Apps Manager.

2018	2019	2020	2021	2022	'23–Present
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

This response does not admit that Duration Media practices any limitation of the '329 patent or any of its family members. The response is solely to comply with the Board’s order and to proceed efficiently in this trial.

II. Confidentiality

The parties have a verbal agreement that the Attorneys Eyes Only (AEO) information highlighted above will not be made public and that Duration will file a

motion to seal with a modified protective order. The modified protective order will include an AEO designation, such that only RMC's attorneys and expert(s) may view the AEO information. No RMC employee may directly or indirectly receive the AEO information. Duration and RMC agreed that the information will be kept under seal unless the Board orders it to be made public.

Respectfully Submitted,

Dated: December 4, 2023

/Kevin Greenleaf/
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