

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG ELECTRONICS, INC., LG ELECTRONICS U.S.A., INC., AND
VIZIO, INC.¹
Petitioners,

v.

MULTIMEDIA TECHNOLOGIES PTE. LTD.,
Patent Owner.

IPR2024-00354
Patent 10,419,805 B2

**AUTHORIZED RESPONSE TO
DIRECTOR REVIEW REQUEST**

¹ VIZIO, Inc. filed a petition in IPR2024-00699 and was joined as a petitioner in this proceeding.

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I. INTRODUCTION

Multimedia's Patent Owner Request for Director Review of Final Written Decision ("Request," Paper 36) relies on mischaracterizations of the record and the Final Written Decision ("FWD"). There was no error.

II. PATENT OWNER'S ARGUMENTS MISREPRESENT THE FWD

Patent Owner argues that the Board made "two legal errors" in determining that the "organizing" limitation [1.2.1] of claim 1 and similar limitation [10.4.1] of claim 10 are obvious over the combination of Melnychenko and Chen. Request, 3. For each of these so-called "errors," Patent Owner alleges that the Board "failed" to address Patent Owner's arguments. *Id.* This is untrue. The Board considered but rejected Patent Owner's arguments. Patent Owner's alleged "errors" are simply disagreements with the Board's findings in the FWD, which addressed limitations [1.2.1] and [10.4.1] in great detail over ten pages. FWD, 37-46, 51.

A. PATENT OWNER'S OVERVIEW OF "THE BOARD'S FINDINGS ON MEL[N]YCHENKO AND CHEN" MISREPRESENTS THE FWD

Patent Owner's overview misrepresents the Final Written Decision. Patent Owner asserts that the "FWD concedes" that Chen's organization of metadata is an "order [] of file types." Request, 5. Patent Owner is wrong. As shown in Section III.B below, the Board considered and rejected Patent Owner's argument that Chen is limited to organizing metadata by "file type." Patent Owner further asserts that

the Board “never addresses the expert testimony that ‘subservices’ and ‘file types’ are unrelated.” Request, 6. Patent Owner is again wrong. As shown in Sections III.B and III.C below, the Board extensively addressed the parties’ expert testimony for this erroneous argument. Accordingly, Patent Owner’s positions are premised on a clear misrepresentation of the Board’s findings.

B. THE BOARD’S DECISION DID NOT ERR IN ADDRESSING THE PARTIES’ EXPERT TESTIMONY ON THE COMBINATION

Patent Owner argues that “*both parties’ experts agreed* that there is no relationship between a file type format, as used in the art, and a subservice format” and that the Board “*failed to credit the testimony of both parties’ experts* that ‘subservices’ and ‘file types’ are unrelated concepts and there is no motivation anywhere to combine the two.” Request, 3, 6 (emphasis added). This is wrong.

First, Petitioner’s expert Dr. Lippman expressly *disagreed* with Patent Owner’s assertion. Dr. Lippman testified, consistent with the teachings of the prior art in the grounds and supported by other background references, that Chen’s services in Fig. 3 (e.g., MP3, MPEG-4) are data streams and not files. Paper 24, 25-26 (citing Ex.1020, ¶38 (“As is known in the art, *these services provide data streams and not files, as Multimedia incorrectly asserts.*”))). And the Board credited Dr. Lippman’s testimony on this point. FWD, 45 (“*We additionally credit Dr. Lippman’s testimony that Chen’s ‘services provide data streams and not*

files.' Pet. Reply 26 (citing Ex. 1020 ¶ 38).”).

Second, the Board expressly considered and addressed Patent Owner's argument that it presented “unrebutted expert testimony and supporting evidence that a file type format is completely unrelated to a subservice format,” and that the prior art allegedly cannot render the claims obvious based on this premise. FWD, 42 (citing PO Response (Paper 19), 29-33). The Request repeats this same erroneous argument that the prior art does not “organiz[e] by subservice format, rather than file type format as in Chen,” and that the FWD “ignores” the testimony of Patent Owner's expert for this argument. Request, 7 (citing Ex.2010, ¶129). To the contrary, the Board expressly considered and rejected these arguments. FWD, 39 (identifying Patent Owner's argument that the prior art would not “organiz[e] data according to subservice types as claimed” because Chen discloses “file types” rather than “subservices,” and citing Ex.2010, ¶¶128-133). The Board recognized that Patent Owner's arguments amounted to challenging the prior art individually, alleging that Chen organizes data by file type, not by a subservice. FWD, 38-39, 45. The Board properly recognized that the Petition relies on Melnychenko to teach the claimed “subservices,” a position Patent Owner never contested. FWD, 43. The Board, consequently, rejected Patent Owner's argument because it attacks the references individually, rather than the *combination* presented in the Petition. FWD, 45-46.

Accordingly, Patent Owner's argument that "both parties' experts agreed" and the Board "failed to credit the testimony of both parties' experts" misrepresents the record and the Board's holding, reasoning, and analysis.

C. THE BOARD'S DECISION DID NOT ERR IN ADDRESSING PATENT OWNER'S ARGUMENT ON "UNRELATED CONCEPTS"

Patent Owner compounds the above-noted error in arguing that "[b]ecause the parties' experts agreed that 'file types' and 'subservices' are unrelated...[t]he FWD erred for a second time by failing to address Multimedia's argument." Request, 8-9. This argument is based on the same flawed premise that the "experts agreed," when in fact Dr. Lippman expressly *disagreed*. Ex.1020, ¶38 ("As is known in the art, *these services provide data streams and not files, as Multimedia incorrectly asserts.*")

Further, Patent Owner misrepresents the FWD. Patent Owner alleges that the Board "fail[ed] to address" its argument that "because a single subservice may provide data of multiple file types, organizing data according to file type would not organize the data according to a pre-defined format corresponding to the type of subservice, because the format would be shared among all subservices providing data of that file type." Request, 8 (citing Ex.2010, ¶128). However, the Board specifically reproduced this argument verbatim and addressed it on page 39 of the FWD. Further, the Board specifically considered Patent Owner's argument that

Chen “teaches the same type of subservice (media) providing data in three different file types.” Request, 8 (citing POR, 29-31); *see* FWD, 39-40.

Rather than show any “error,” Patent Owner is instead disagreeing with the Board’s conclusion that Chen is not limited to organizing by file types. FWD, 45 (“Chen’s teachings represent a general technological principle and are not limited to the exemplary content of MP3, JPEG, and MPEG-4.”). The Board addressed Patent Owner’s argument and concluded that Chen organizes data (metadata) “*according to a predefined format*” because “Chen’s metadata tables (Figure 3)...each correspond to a type of content (having a pre-defined format) corresponding to the subservices (VOD, EPG, Media) of Melnychenko.” FWD, 45-46 (citing Pet., 34; Ex.1003, ¶148), 42 (discussing the Petition’s reliance on Chen). Patent Owner’s argument that the Board did not explain “why a POSITA would make the required modification” is based on the flawed premise that Chen is limited to file types—a proposition that was contrary to the evidence and which the Board rejected. FWD, 45.

Accordingly, Patent Owner has not shown “error” in the FWD. Patent Owner’s arguments simply amount to disagreement with the Board’s decision. The Director should deny Patent Owner’s Request.

Respectfully submitted,

Dated: June 5, 2025
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CERTIFICATE OF SERVICE

The undersigned certifies that, in accordance with 37 C.F.R. § 42.6(e),
service was made on Multimedia as detailed below.

Date of service June 5, 2025

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REVIEW REQUEST**

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