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Paper 38
Date: September 2, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIANT TECHNOLOGY LLC,
Petitioner,

v.

INTENT IQ LLC,
Patent Owner.

IPR2024-00422[1]
Patent 7,861,260 B2

Before NABEEL U. KHAN, SCOTT B. HOWARD, and DAVID COTTA, *Administrative Patent Judges*.

HOWARD, *Administrative Patent Judge*.

ORDER
Conduct of Proceeding
37 C.F.R. § 42.5

[1] Viant Technology LLC was joined as a party to this proceeding via a Motion for Joinder in IPR2025-00129.

On August 28, 2025, counsel for Petitioner and for Patent Owner appeared before the panel for an oral hearing relating to U.S. Patent No. 7,861,260 B2 (the '260 patent") (Ex. 1001). Among other things, the parties addressed whether the prior art taught the additional limitation recited in dependent claims 121 and 146 of the '260 patent, both of which recite "contracted to display a TV ad." Neither Petitioner nor Patent Owner explicitly addressed the meaning of that term in the merits briefing.

Having considered the arguments presented in the briefs and at the oral hearing, we determine that the record would benefit from further briefing on the construction of the term "contracted to display a TV ad."

In the post-hearing briefing, the parties may rely on evidence already in the record, but may not introduce new evidence. The parties may not address any issues besides claim construction. Our analysis of the issues of whether claims 121 and 146 are patentable will be limited to theories presented in the briefing before the hearing.

ORDER

Accordingly, it is

ORDERED that, no later than September 11, 2025, Petitioner and Patent Owner may each file an opening brief, limited to five pages, addressing the scope of the term "contracted to display a TV ad";

FURTHER ORDERED that, no later than September 18, 2025, Petitioner and Patent Owner may each file a responsive brief, limited to three pages, addressing the other party's opening brief;

FIURTHER ORDERED that neither party shall submit additional evidence.

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