UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SPORTRADAR AG,
Petitioner

v.

SPORTSCASTR INC.,
(D/B/A PANDA INTERACTIVE),
Patent Owner.

IPR2025-00314
U.S. Patent No. 10,425,697

PETITIONER'S SHOWING OF GOOD CAUSE FOR PARALLEL PETITIONS

Sportradar AG ("Petitioner") requests IPR of claims 1, 10-18, 23, 24 and 26 of U.S. Patent No. 10,425,697 ("the '697"). Ex.1006. Petitioner is filing parallel petitions separately challenging claims 1, 10-18, and 23, 24 and 26.

1. REASONS WARRANTING TWO PETITIONS

PO is asserting all 30 claims from '697 in the Texas Litigation. *See* Ex.1019 at 3; Ex.1048. Until recently, the claims challenged in the present Petitions (claims 10-18 and 26) had not been previously asserted.[1]

The Board has recognized that in certain circumstances more than one petition may be necessary. *See* Trial Practice Guide Update (July 2019), p.26. Petitioner has filed two petitions related to '697's claims and respectfully requests that the Board institute both petitions. The Board should institute both petitions for at least the following reasons.

First, the claims cannot be addressed in one petition because of length of the claims and because of the additive nature of the claim dependencies. Claims 10-18 depend either directly or indirectly in claim 1. Claim 1 itself is a rather lengthy claim

[1] It is noted that Petitioner is also filing two "copycat" petitions directed to the previously asserted claims of the '687 for purposes of joinder.

with several recited elements[2]. Claim 11 depends from claim 10, claim 12 from claim 11, claim 13 from claim 12, claim 14 from claim 13, and so on. Claim 17 alone occupies at least a column and a half of the '697 patent, and claim 18 depends from claim 17. This of course necessitates a longer discussion to address all of the challenged elements of these newly asserted claims.

Second, each petition challenges different claims. The first Petition challenges claims 1 and 10 through 18. The second Petition challenges claims 23, 24 and 26. Thus, the Petitions are not duplicative and address as efficiently as possible the patentability of the newly asserted '697 claims.

Third, the two Petitions cite essentially the same art against all claims, and rely on essentially the same rationale, thus minimizing the burden on the Board from instituting both petitions.

2. RANKING OF THE PETITIONS

Petitioner requests that the Board consider the petitions in the following order, however, for the reasons explained above, the Board's analysis of the newly asserted claims in the Texas Litigation would not be complete without considering both petitions:

[2] Although, as explained in the accompanying Petitions, these elements are all conventional and arranged in a predictable manner to accomplish known objectives.

Rank	Petition	Challenged Claims	Prior Art
A	IPR2025-00313	1, 10-18	1. U.S. Patent Publication No. 2014/0229992 to Ellis et al. (“Ellis”). 2. U.S. Patent Publication No. 2016/0036910 to Spivey (“Spivey”). 3. U.S. Patent Publication No. 2015/0163379 to Herzog (“Herzog”). 4. U.S. Patent Publication No. 2017/0250882 to Kellicker (“Kellicker”). 5. U.S. Patent Publication No. 2015/0127845 to Phillips (“Phillips”). 6. U.S. Patent No. 9,246,965 to Stoica et al. ("Stoica”). 7. R. Pantos et al., “HTTP Live Streaming,” (“Pantos”).
B	IPR2025-00314	23, 24, 26	1. U.S. Patent Publication No. 2014/0229992 to Ellis et al. (“Ellis”). 2. U.S. Patent Publication No. 2016/0036910 to Spivey (“Spivey”). 3. U.S. Patent Publication No. 2015/0163379 to Herzog (“Herzog”). 4. U.S. Patent Publication No. 2017/0250882 to Kellicker (“Kellicker”).

			5. U.S. Patent Publication No. 2015/0127845 to Phillips ("Phillips").

3. CONCLUSION

Petitioner is not abusing process, rather Petitioner is merely providing the Board with sufficient analysis to fully understand the nature of the challenged to the claims and the asserted prior art. For these reasons, the Board should institute both petitions.

Date: December 14, 2024

Respectfully submitted,

/Scott W. Cummings/
Scott W. Cummings
Reg. No. 41,567
BRYAN CAVE LEIGHTON PAISNER LLP
scott.cummings@bclplaw.com

Alexander Walden
Provisionally recognized PTAB attorney
(affidavit to follow)
BRYAN CAVE LEIGHTON PAISNER LLP
alexander.walden@bclplaw.com

Frank Fabiani
Reg. No. 75,934
BRYAN CAVE LEIGHTON PAISNER LLP
frank.fabiani@bclplaw.com

Attorneys For Petitioner Sportradar AG

CERTIFICATE OF SERVICE

In compliance with 37 C.F.R. §§42.105, 42.6(e), the undersigned hereby certifies that a copy of the foregoing Petitioner's Showing of Good Cause for Parallel Petitions was served on the 14th day of December 2024, via Federal Express® directed to PO at the correspondence address of record:

149890 - Smith Baluch LLP
376 Boylston St,
Suite 401
Boston, MA 02116

A courtesy copy was also served by electronic mail on PO's counsel of record in the Texas litigation:

Britton F. Davis
KING & SPALDING LLP
1401 Lawrence Street
Suite 1900
Denver, CO 80202
(720) 535-2300
bfdavis@kslaw.com

Christopher C. Campbell
KING & SPALDING LLP
1700 Pennsylvania Avenue, NW
Suite 200
Washington, DC 20006
(202) 626-5578
ccampbell@kslaw.com

Ryan A. Schmid
KING & SPALDING LLP
1700 Pennsylvania Avenue, NW
Suite 200
Washington, DC 20006
(202) 626-5578
rschmid@kslaw.com

Matthew D. Wood
KING & SPALDING LLP
500 West 2nd Street
Suite 1800
Austin, TX 78701
(512) 457-2000
mwood@kslaw.com

/Teresa C. Rodriguez/