

Filed: December 12, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

STINGRAY GROUP INC. and STINGRAY MUSIC USA, INC.
Petitioners,

v.

EDWIN A. HERNANDEZ-MONDRAGON,
Patent Owner.

Case No. IPR2025-00351
U.S. Patent No. 11,140,441

PETITIONERS' REPLY TO PATENT OWNER RESPONSE

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PETITIONERS' EXHIBIT LIST

No.	Brief Description
1001	U.S. Patent No. 11,140,441
1002	Declaration of Mr. Stuart Lipoff
1003	U.S. Patent No. 7,940,303 to Farber, et al. ("Farber")
1004	U.S. Patent No. 8,954,600 to Avellan, et al. ("Avellan")
1005	U.S. Patent No. 9,009,111 to Vermeulen, et al. ("Vermeulen")
1006	U.S. Patent No. 8,442,110 to Pavlovskaja, et al. ("Pavlovskaja")
1007	WIPO International Publication Number WO 2010/044926 to Pavlovskaja, et al. ("Pavlovskaja-PCT")
1008	U.S. Patent No. 8,676,822 to Davis ("Davis")
1009	U.S. Patent Application Publication No. 2012/0117569 to Fogel, et al. ("Fogel")
1010	U.S. Patent No. 8,819,043 to Durante, et al. ("Durante")
1011	U.S. Patent No. 9,635,075 to Ma, et al. ("Ma")
1012	U.S. Patent No. 6,463,445 to Suzuki, et al. ("Suzuki")
1013	U.S. Patent Application Publication No. 2004/0031052 to Wannamaker, et al. ("Wannamaker")
1014	U.S. Patent No. 9,331,967 to Gangadharan, et al. ("Gangadharan")
1015	Prosecution History of Application No. 15/538,911, which is now U.S. Patent No. 10,123,074
1016	Prosecution History of U.S. Patent No. 11,140,441
1012	Declaration of Michael D. McBride in Support of Petitioners' Notice of Intent to Designate Provisionally Recognized Attorney Michael D. McBride as Backup Counsel
1018	<i>Edwin A. Hernandez, et al. v. Stingray Group Inc., et al.</i> , Case No. 1:24-cv-21226, Dkt. 190 (February 12, 2025, Order Denying Motion to Stay Pending IPRs)
1019	<i>Edwin A. Hernandez, et al. v. Stingray Group Inc., et al.</i> , Case No. 1:24-cv-21226, Dkt. 202 (March 10, 2025, Order Denying Motion for Preliminary Injunction)
1020	April 9, 2025, correspondence from Plaintiffs' counsel serving Third Amended Complaint and dismissing Counts 8 and 9

No.	Brief Description
1021	<i>Edwin A. Hernandez, et al. v. Stingray Group Inc., et al.</i> , Case No. 1:24-cv-21226, Dkt. 82 (July 15, 2024, Plaintiffs' Second Amended Complaint)
1022	<i>Edwin A. Hernandez, et al. v. Stingray Group Inc., et al.</i> , Case No. 1:24-cv-21226, Dkt. 207 (March 12, 2025, Order Denying Plaintiffs' Motion to Strike Reply Brief and <i>sua sponte</i> Order Cancelling Scheduled Markman Hearing)
1023	SDFL Trial Stats
1024	<i>Edwin A. Hernandez, et al. v. Stingray Group Inc., et al.</i> , Case No. 1:24-cv-21226, Dkt. 214 (April 9, 2025, Plaintiffs' Third Amended Complaint)
1025	<i>Edwin A. Hernandez, et al. v. Stingray Group Inc., et al.</i> , Case No. 1:24-cv-21226, Dkt. 214 (April 9, 2025, Plaintiffs' Exhibit 26 to Third Amended Complaint)
1026	<i>Edwin A. Hernandez, et al. v. Stingray Group Inc., et al.</i> , Case No. 1:24-cv-21226, Dkt. 215 (April 11, 2025, Defendants Stingray Group, Inc.'s and Stingray Music USA, Inc.'s Stipulation Regarding the Defense of Patent Invalidity)
1027	April 11, 2025, correspondence from Defendants AT&T Enterprises, LLC, Blue Stream Communications, LLC, and Millicom International Service, LLC's counsel serving Plaintiffs' counsel with Stipulation Regarding the Defense of Patent Invalidity.
1028	<i>Edwin A. Hernandez, et al. v. Stingray Group Inc., et al.</i> , Case No. 1:24-cv-21226, Dkt. 13 (May 7, 2025, Plaintiffs Filing of Proof of Service on Defendant Stingray Music USA, Inc.)
1029	<i>Edwin A. Hernandez, et al. v. Stingray Group Inc., et al.</i> , Case No. 1:24-cv-21226, Dkt. 266 (May 28, 2025, Motion for Leave to Withdraw as Counsel for Plaintiffs Dr. Edwin A. Hernandez and Egla Corp.)
1030	<i>Edwin A. Hernandez, et al. v. Stingray Group Inc., et al.</i> , Case No. 1:24-cv-21226, Dkt. 258 (May 20, 2025, Order Granting Joint Motion for Continuance of Certain Pre-Trial Deadlines)
1031	Omnibus Order Granting Plaintiffs' Motion for Leave to Withdraw and Staying Case, <i>Edwin A. Hernandez, et al. v. Stingray Group Inc., et al.</i> , No. 1:24-cv-21226 (June 9, 2025) (Dkt. 291)
1032	Transcript of the Deposition Dr. Edwin Hernandez, IPR2025-00349, 350, 351, December 4, 2025

No.	Brief Description
1033	<i>Edwin A. Hernandez, et al. v. Stingray Group Inc., et al.</i> , Case No. 1:24-cv-21226, Dkt. 3-6 at 95-104 (April 3, 2024, Exhibit to Original Complaint, Letter from EGLA to Stingray Group dated April 20, 2021)
1034	<i>Edwin A. Hernandez, et al. v. Stingray Group Inc., et al.</i> , Case No. 1:24-cv-21226, Dkt. 333 (Aug. 6, 2025, Order on Defendants’ Motion to Extend Stay)
1035	Borko Furht et al., Multimedia: Broadcasting over the Internet: Part II—Video Compression, <i>IEEE MultiMedia</i> Project Reports, 1991
1036	U.S. Patent No. 11,695,967 to Furht, et al.

Listing of Challenged Claims

Element	Claim Language
Claim 1	
Preamble 1	A computer-implemented method comprising:
Element 1a	creating a plurality of multimedia assets at a caching unit, for each one of the plurality of multimedia assets;
Element 1b	determining that there is sufficient storage space for the multimedia asset at the caching unit;
Element 1c	generating a channel identifier for the multimedia asset;
Element 1d	retrieving from a cloud service a plurality of media files to be included in the multimedia asset including a media identifier for each one of the media files;
Element 1e	for each one of the media files, creating a custom hypertext transfer markup language (HTML) user interface that includes video;
Element 1f	encoding each of the media files and encapsulating them together using an MPEG transport stream format;
Element 1g	storing each one of the multimedia assets at the caching unit;
Element 1h	receiving a request at the caching unit for one of the multimedia assets from a broadcasting unit; and
Element 1i	responsive to receiving the request, the caching unit providing the multimedia asset to the broadcasting unit in the MPEG transport stream format.
Claim 2	
Element 2a	The method of claim 1, wherein receiving the requests for the multimedia assets comprising receiving the requests over a REST API, or wherein retrieving the plurality of media files is performed using a REST API.
Claim 3	
Element 3a	The method of claim 1, wherein creating the custom HTML user interface for each media file is performed using Javascript.
Claim 4	
Element 4a	The method of claim 1, wherein encoding each of the media files include encoding each of the media files at a specified bit rate.
Claim 5	
Element 5a	The method of claim 1, wherein encoding each of the media files include encoding each of the media files using a H.264 encoder.
Claim 6	

Element	Claim Language
Element 6a	The method of claim 1, wherein the custom HTML user interfaces are configured to be rendered using a Webkit browser.
Claim 7	
Element 7a	The method of claim 1, wherein the video for the custom HTML interfaces includes video taken from the media file.
Claim 8	
Element 8a	The method of claim 1, wherein encoding the media file is performed using an AC-3 file format for audio content in the media file.
Claim 9	
Element 9a	The method of claim 1, wherein the custom HTML user interfaces are configured so that multiple custom HTML user interfaces of the multimedia asset can be retrieved using a web rendering engine.
Claim 10	
Preamble 10	A computer-implemented method comprising:
Element 10a	virtualizing a system including a virtualized caching server, wherein the virtualized caching server performs:
Element 10b	receiving, from a content provider, a request for at least one media stream for playback on a broadcast media channel, wherein the at least one media stream includes a plurality of multimedia items of different types;
Element 10c	obtaining content corresponding to the plurality of multimedia items from at least one source offering the content in at least one first format;
Element 10d	rendering a web page by a browser using the content;
Element 10e	generating a temporal sequence of screen captures of the rendered web page, where each screen capture defines all the content of the web page at a given time, and at least two adjacent screen captures illustrate a dynamic change of at least a portion of the content over time;
Element 10f	assembling the at least one media stream using the temporal sequence of screen captures; and
Element 10g	providing the at least one media stream to the content provider for broadcast on the broadcast media channel.
Claim 11	

Element	Claim Language
Element 11a	The method of claim 10, wherein the obtaining comprises: retrieving, for each of the plurality of multimedia items, at least one audio file corresponding to an audio component of the multimedia item and a plurality of screen captures corresponding to a video component of the multimedia item.
Claim 12	
Element 12a	The method of claim 11, wherein the generating comprises: combining the plurality of screen captures and the at least one audio file to create each of the plurality of multimedia items.
Claim 13	
Element 13a	The method of claim 12, further comprising: the virtualized caching server detecting a change at the at least one webpage corresponding to at least one of the plurality of multimedia items;
Element 13b	in response to detecting the change, retrieving a new plurality of screen captures from the at least one webpage for the at least one of the plurality of multimedia items; and
Element 13c	reassembling the at least one of the plurality of multimedia items using the new plurality of screen captures to yield an updated multimedia item.
Claim 14	
Element 14a	The method of claim 11, wherein the retrieving of the plurality of screen captures comprises obtaining the plurality of screen captures from a playback of a video on the at least one webpage.
Claim 15	
Element 15a	The method of claim 14, wherein the combining of the plurality of screen captures comprises metadata corresponding to at least one of a song title, an artist, and a music genre.
Claim 16	
Element 16a	The method of claim 10, further comprising: the virtualized caching server identifying the at least one webpage based on a channel identifier associated with the broadcast media channel.
Claim 17	
Element 17a	The method of claim 10, further comprising: the virtualized server querying the content provider to determine the second format, wherein the second format corresponds to a Moving Picture Experts Group (MPEG) format.
Claim 18	
Element 18a	The method of claim 10, wherein the content provider is a cable

Element	Claim Language
	television operator or a satellite television operator.
Claim 19	
Element 19a	The method of claim 10, wherein providing the at least one media stream to the content provider comprises streaming the at least one media stream to an MPEG multiplexer associated with the content provider.
Claim 20	
Element 20a	The method of claim 10, further comprising: the virtualized caching server provisioning, on at least one server, at least one virtual machine for performing the receiving, obtaining, generating, assembling, and providing.
Claim 21	
Element 21a	The method of claim 10, wherein virtualizing the system is performed using one of Docket, Xenserver, or a virtual machine.
Claim 22	
Element 22a	The method of claim 10, wherein virtualizing the system includes virtualizing the system to include at least one virtualized multicasting server that perform the providing the at least one media stream to the content provider.
Claim 23	
Element 23a	The method of claim 10, wherein virtualizing the system is performed for one channel, wherein the virtualized caching server is operable for one channel, wherein virtualizing the system is repeated for each one of a plurality of other channels.
Claim 24	
Element 24a	The method of claim 10, wherein receiving the request is performed using a JSON API.
Claim 25	
Preamble 25	A computer-implemented method comprising:
Element 25a	receiving, from a content provider, a request for at least one media stream for playback on a broadcast media channel, wherein the at least one media stream includes a plurality of multimedia items of different types;
Element 25b	obtaining content corresponding to the plurality of multimedia items from at least one source offering the content in at least one first format, performed over a first TCP-IP socket of a caching unit;

Element	Claim Language
Element 25c	rendering a web page by a browser using the content;
Element 25d	generating a temporal sequence of screen captures of the rendered web page, where each screen capture defines all the content of the web page at a given time, and at least two adjacent screen captures illustrate a dynamic change of at least a portion of the content over time;
Element 25e	assembling the at least one media stream using the temporal sequence of screen captures;
Element 25f	providing the at least one media stream to the content provider for broadcast on the broadcast media channel; and
Element 25g	providing, at a second TCP/IP socket of the caching unit, a status of the obtaining, generating, and assembling.
Claim 26	
Preamble 26	A computer-implemented method comprising at a caching unit:
Element 26a	receiving, from a content provider, a request for at least one media stream for playback on a broadcast media channel, wherein the at least one media stream includes a plurality of multimedia items of different types;
Element 26b	obtaining content corresponding to the plurality of multimedia items from at least one source offering the content in at least one first format;
Element 26c	rendering a web page by a browser using the content;
Element 26d	generating a temporal sequence of screen captures of the rendered web page, where each screen capture defines all the content of the web page at a given time, and at least two adjacent screen captures illustrate a dynamic change of at least a portion of the content over time;
Element 26e	assembling the at least one media stream using the temporal sequence of screen captures;
Element 26f	at a multicasting unit that is operable connected to the caching unit: providing the at least one media stream to the content provider for broadcast on the broadcast media channel;
Element 26g	recording the media stream from the caching unit to produce a recorded media stream; and
Element 26h	upon a fault being detected at the caching unit, providing at least a portion of the recorded media stream to the content provider.

I. Introduction

The Stingray Petitioners submit this Reply to Patent Owner's Response, Paper 30 ("the POR"), regarding claims 1-26 ("Challenged Claims") of U.S. Patent No. 11,140,441 ("the '441 Patent," Ex-1001).

II. The Board Should Give Patent Owner's Opinions Little or No Weight

In an attempt to stave off invalidation, the POR relies solely on the expert report of the Patent Owner himself, Dr. Edwin Hernandez. However, "[i]n assessing the probative value of an expert opinion, [the Board] must consider three factors: (1) the interest in the outcome of the case, (2) the presence or absence of factual support for the expert's opinion, and (3) the strength of any opposing evidence." *eBay Inc. et al v. Global Equity Mgmt. (SA) Pty. Ltd.*, No. 2016-01829, Paper 63 at 14 (PTAB April 19, 2018); *see also* 37 C.F.R. § 42.65(a).

Dr. Hernandez is ***not*** an unbiased or independent expert. As the sole owner and named inventor of the '441 Patent, and the majority owner of exclusive licensee EGLA Corp., Dr. Hernandez has a direct financial stake in the outcome of this IPR and a substantial personal interest in preserving his patents. Ex-1032 at 5:11-16 and 236:15-22. For example, prior to filing his underlying lawsuit, Dr. Hernandez sent Stingray a demand letter seeking \$25 million for a license to his Challenged Patents. Ex-1033 at 10. Since filing his lawsuit, that demand has increased to over \$100 million. Given the district court's stay of his infringement claims pending this IPR,

he knows that prevailing in this proceeding is a prerequisite to pursuing any patent royalties from Stingray. Ex-1034 at 7. Dr. Hernandez also testified that he has been trying to monetize his Challenged Patents, including the '441 Patent, in negotiations with third parties, such as Google. Ex-1032 at 13:7-25. However, he conceded that those negotiations are currently “on hold” pending this IPR, delaying what he believes could result in substantial royalties from licensing his Challenged Patents. Ex-1032 at 15:1-15 and 13:24-25.

Accordingly, Dr. Hernandez’s opinions should be given less weight than those of a *bona fide* independent expert. *See eBay Inc. et al*, No. 2016-01829, Paper 63 at 14-15 (PTAB 2018) (holding that because the expert is “the sole named inventor” and has a “personal and financial interest in the outcome of this case, we give his testimony less weight”). Indeed, the POR itself directly reflects Dr. Hernandez’s substantial bias by: (1) repeatedly trying to rewrite the actual claim language to add new claim requirements that Dr. Hernandez contends are missing from a given reference, and/or (2) repeatedly ignoring a given reference’s plain language and instead relying on Dr. Hernandez’s conclusory assertions of what that reference does (or does not) disclose.

For example, one of Dr. Hernandez’s primary arguments is that Farber does not create “a custom hypertext transfer markup language (HTML) user interface that includes video” as recited in Element 1e (*see* Ex-2039 at ¶103) despite Farber’s

explicit disclosure of custom user interfaces that are “coded utilizing HTML” and that contain user “buttons” and graphics, including “motion picture video content.”

Ex-1003 at 5:50-54, 3:39-44, and 3:48-51.

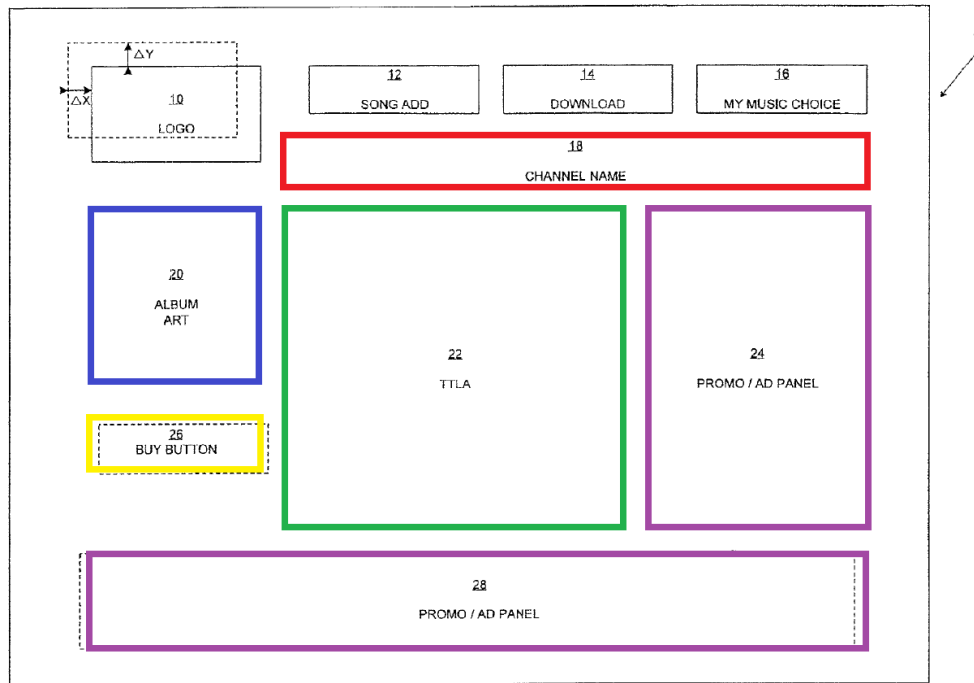


Fig. 1

Ex-1003 at Fig. 1. Instead, Dr. Hernandez asserts that Element 1e somehow “*implies* the use of an HTTP server or a RESTful system” despite no such requirement appearing in the claim language or the patent. *See* Ex-2039 at ¶104.

Similarly, Dr. Hernandez opines without any basis that Farber “only discloses encapsulation” and not “encoding” (*see* Ex-2039 at ¶¶141-142) despite Farber’s explicit disclosures, for example, of an “Audio Encoder” and an “MPEG Encoder.” *See* Ex-1003 at 5:63-65, 6:62-64, and 7:37-38.

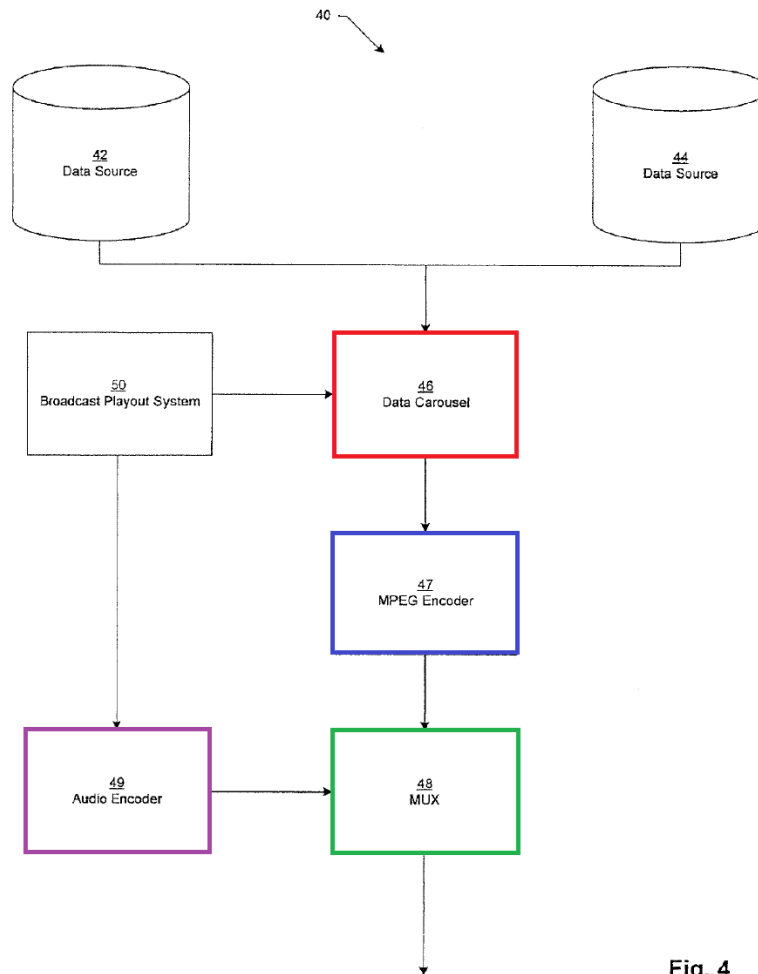


Fig. 4

Ex-1003 at Fig 4. Given the plain disclosures of Farber, these are not positions a *bona fide* expert would reasonably take, and Dr. Hernandez’s combative responses during his deposition rebut any notion that he is a neutral or dispassionate expert. *See, e.g.*, Ex-1032 at 233:8 (telling Petitioners’ counsel that “all your questions are dumb”).

Accordingly, his subjective opinions on what a reference discloses or a POSITA’s motivation or ability to combine any cited references should be given little or no weight, especially when they conflict with the actual disclosures and

evidence. *See Mercedes-Benz USA, LLC v. Deadalus Prime LLC*, No. IPR2023-01335, 2025 WL 395548, at *9-10 (P.T.A.B. Feb. 4, 2025) (not crediting testimony that “makes an overly semantic argument” that “ignores the actual arrangement of components of the [challenged patent] and the prior art”); *see also TV Mgmt., Inc. v. Perdiemco LLC*, No. IPR2016-01278, 2017 WL 6418915, at *24 (PTAB Dec. 15, 2017) (finding that Patent Owner’s analysis “ignores critical portions of the record evidence” and affording their arguments “little weight”).

III. The Board Should Give Claim Terms Their Ordinary Meanings

Neither Petitioners nor the POR advance any specific claim constructions.

IV. The Challenged Claims are Unpatentable

A. Ground 1: Claims 1 and 7 are anticipated by Farber.

a. Claim 1

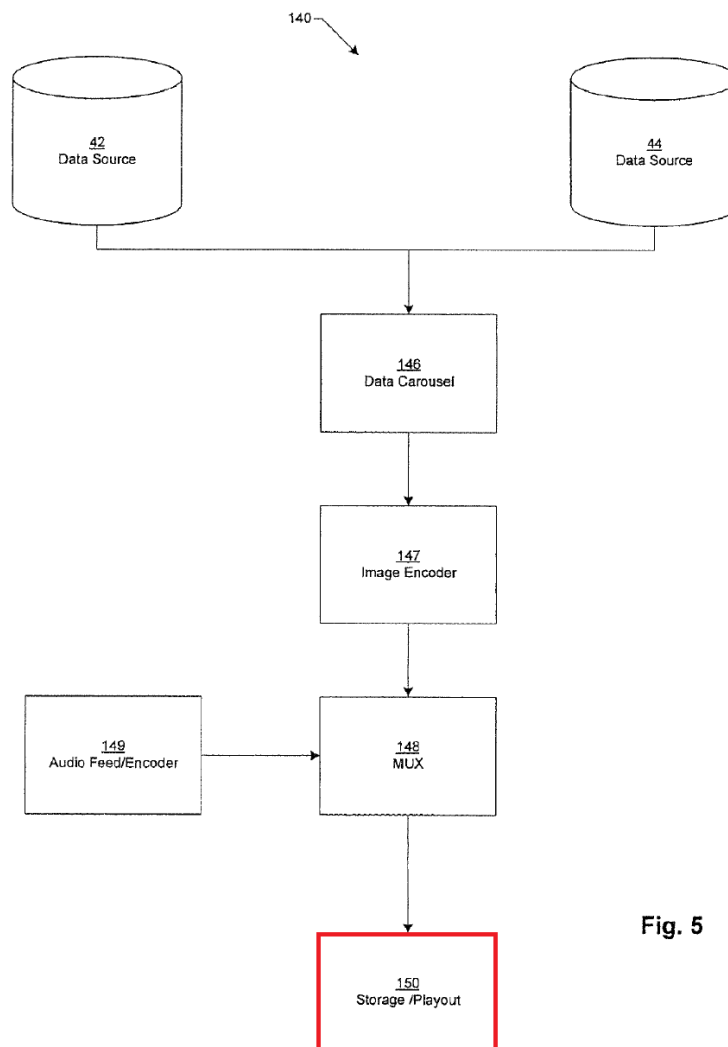
Preamble 1

The POR does not dispute Preamble 1.

Element 1a

The POR asserts that “[a] caching unit is a server with operating systems, log files, programs, and multiple media streams” and that the Petition “fails to show with precision where in Farber the caching unit resides.” POR at 20. Contrary to the POR, the ’441 Patent simply states that “[c]aching unit 210 can be the main storage component in the system.” Ex-1001 at 5:2-3. Similarly, Farber discloses caching

the multimedia assets for subsequent playback in a storage component. Ex-1003 at 7:62-8:3 (stating that “in applications where playout is desired at a later time, the storage/playout device 150 [red box below] may be implemented utilizing a recorder for creating or writing to any suitable storage medium such as DVD, CD ROM, hard disk, or any other suitable read only or rewritable storage medium”).

**Fig. 5**

Ex-1003 at Fig. 5.

Element 1b

Contrary to the POR, the Board previously observed that “Claim 1 does not require the determination that there is sufficient storage space to be made before storing the multimedia asset, nor does it require a determination of a specific amount of available space, or define a subsequent action to take in response.” Paper 18 at 15; POR at 53. Accordingly, POSITAs would recognize that successfully storing and retrieving a multimedia asset inherently teaches Element 1b. Ex-1002, ¶126.

The POR also states that “CDs, DVDs, PCMCIA slots, have a fixed space size”—presumably implying that they do not require a “determination that there is sufficient storage space”—and asserts without explanation that “[a] POSITA will know that ‘at a later time’ means with a CDROM using a CD Player.” POR at 21. However, Farber explicitly states that it can use “any suitable storage medium” including a “*hard disk*, or any other suitable read only *or rewritable* storage medium.” Ex-1003 at 7:66-8:3.

Element 1c

The POR does not dispute Element 1c. *See* POR at 21-22.

Element 1d

The POR argues that neither “Petition nor Farber shows evidence that a) there is a media file, and b) that a ‘media identifier’ is used for retrieval.” POR at 22. This is incorrect.

Farber discloses that “an audio feed . . . supplies audio which is associated with the video frame output.” Ex-1003 at 7:43-44. The audio would correspond to a media file. Similarly and alternatively, Farber also discloses retrieving an album cover, such as the “.jpg” file for “Elton John’s Greatest Hits 1970-2002” album listed in Figure 6.

```
pos="2" />
<Grobj src="mcAA1730327.jpg" desc="Elton John's Greatest
Hits 1970-2002"
xPos="501" yPos="338" xSz="100" ySz="100" wid="100" hgt="100"
pos="3" />
<Grobj src="mcBA506412.jpg" Billable="N"
```

Ex-1003 at Fig. 6. Farber also retrieves a media identifier for each media file, including information identifying the song’s title, an associated Unique ID (“UniqID value=‘3310722’”), and a description (“desc”) for the album artwork.

Element 1d *does not require* that the media identifier be “used for retrieval” as argued by the POR, and the claims do not specify how this “media identifier” is allegedly used. Nonetheless, even if Element 1d was rewritten to require use of the media identifier, retrieving specific media files would inherently require using such an identifier to locate the file.

Element 1e

Farber generates a custom template for “each new song being broadcast” that visually displays various assets for that song. Ex-1003 at 4:33-36 and 6:2-7. These templates, which are “coded utilizing HTML,” may contain graphics and “motion

picture video content.” Ex-1003 at 3:48-51 and 3:30-33 (stating that each of the “graphic object” assets may also include “motion picture video”).

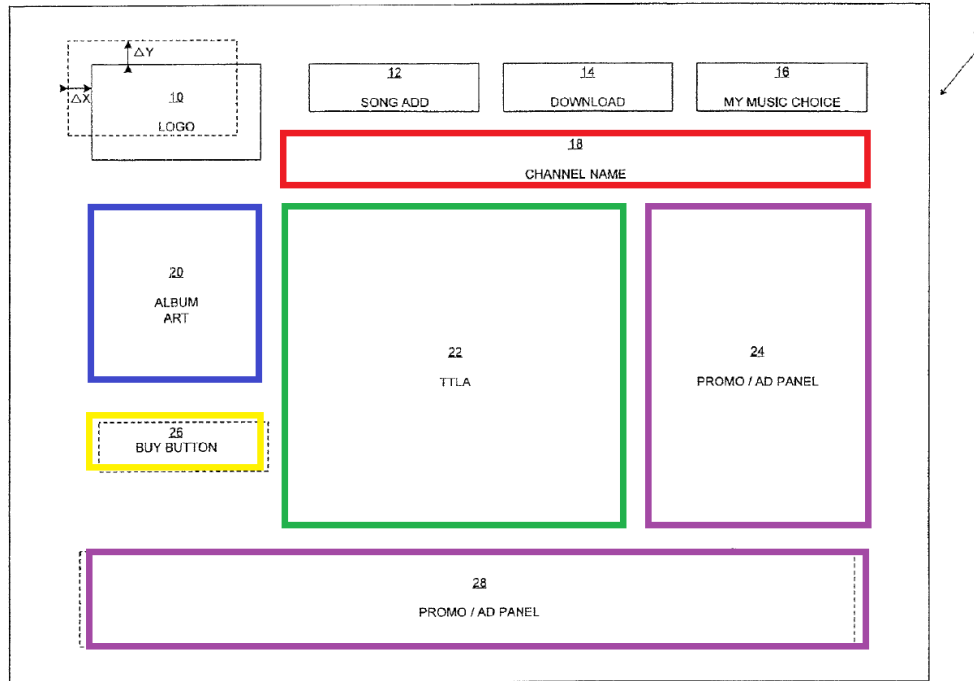


Fig. 1

Ex-1003 at Fig. 1.

Ignoring Farber’s disclosures, the POR asserts that “an HTTP server needs to be present” for this element. POR at 23; Ex-2039 at ¶104 (stating that Element 1e “*implies* the use of an HTTP server or a RESTful system”). However, no such requirement appears in the claim language or the ’441 Patent. In his declaration, Dr. Hernandez bases his opinion on the ’441 Patent’s reference to a “web service,” which he states “provides the template via an HTTP Get Request.” Ex-2039 at ¶102. However, the ’441 Patent says that the interface is “designed using Hypertext Markup Language (e.g., HTML) or a web service” and that a web service “*can* be

used.” Ex-1001 at 6:66-7:5. Thus, neither a web service nor an HTTP server is required.

Element 1f

Although the POR concedes that Farber discloses “encapsulating” using an MPEG TS format, the POR asserts that Farber “is silent on encoding.” POR at 24. However, Farber discloses “encoder 47, which *may be an MPEG encoder*” that produces “a video frame such as an MPEG video frame.” Ex-1003 at 6:1-8. Similarly, Farber also discloses “audio encoder 49” that generates an “encoded audio feed.” Ex-1003 at 6:17-18. Thus, Farber is not “silent” on encoding.

Element 1g

The POR argues that “the ’441 Patent does not need to broadcast the multimedia assets to be stored at the caching unit, but Farber requires it.” POR at 24. However, the POR fails to offer any basis for this statement or explain how it relates to the Petition. Farber explicitly discloses that “[t]he output of the multiplexer 148 is fed to a storage/playout device 150 [orange box].” Ex-1003 at 7:62-8:3 (stating that “in applications where playout is desired at a later time, the storage/playout device 150 may be implemented”).

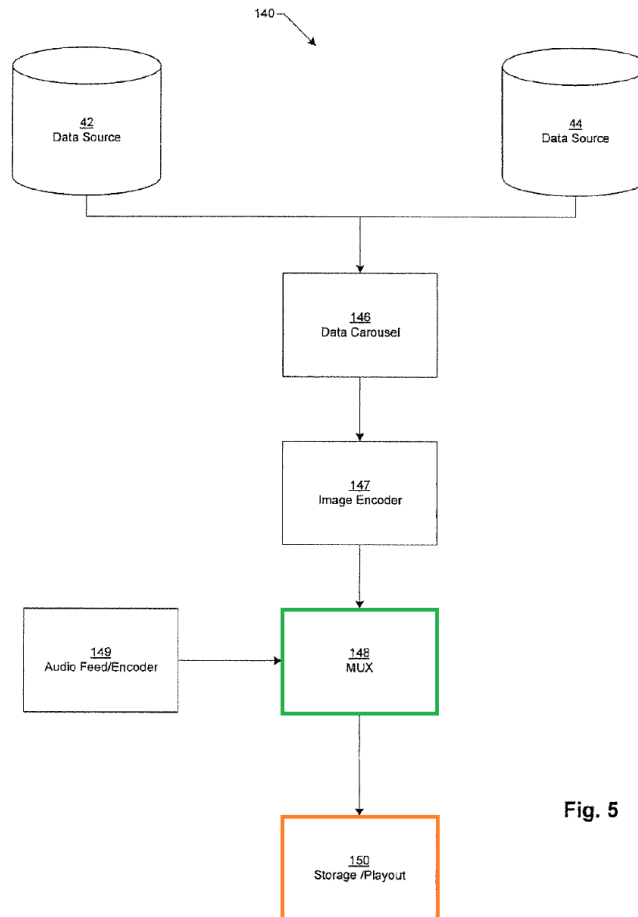


Fig. 5

Ex-1003 at Fig. 5.

Elements 1h and 1i

Farber discloses storing the transport stream for when playout is “desired at a later time,” and POSITAs would recognize that “desiring” playout of an asset “at a later time” inherently involves “receiving a request.” Ex-1003 at 7:62-8:3 and Ex-1002, ¶128. The POR does not dispute this.

Rather, the POR asserts that “Farber teaches away from using Element 1h and 1i” because receiving a request will “disrupt” the process. POR at 25. As argued by the POR, Farber is a “state machine that triggers from one state to the next,” and

if a song is playing, the system must “wait for it to end” before processing any request. POR at 25. However, even if this assumption is true, nothing in the claim requires the immediate processing of a received request or forecloses the completion of the currently playing song.

Additionally, the POR’s assumption that Farber only operates through “triggers” received from the encoders is unsupported. *See* POR at 25. For example, Farber discloses broadcasting a stream with multiple channels and a user interface with a “channel choice button.” Ex-1003 at 6:26-28 and 3:41-42. The ability for a user to change channels undermines the POR’s assumption that Farber cannot respond to input from the user.

b. Claim 7

The POR asserts that “in the XML schema of Fig. 6, such a video is not shown.” POR at 26. However, Farber states that “Fig. 6 illustrates *example* template data” and is not meant to be a complete indication of all assets supported. Ex-1003 at 3:19 (emphasis added). Instead, Farber discloses including “textual information, *motion picture video*, [or] graphics.” Ex-1003 at 3:30-31 and 3:52-54 (emphasis added). Such video is stored as files at the data source 42, 44 and retrieved by the data carousel. Ex-1003 at 2:60-64 and 5:16-32.

B. Ground 2: Claims 1 and 2 are obvious in view of Farber and Vermeulen.

a. Claim 1

Element 1b

Vermeulen discloses “nodepicker 130” which “ensures that there are “sufficient storage resources available to accept the object.” Ex-1005 at 14:65-15:8 and 7:2-3. The POR does not dispute that process of checking storage space was well-known and commonly implemented. *See* POR at 27 and Ex-1002, ¶131. Indeed, the POR concedes that “a POSITA will know that in modern Operating Systems, i-Nodes are used to determine free space.” POR at 21. As a result, the POR fails to explain why a POSITA would find this common step of checking for sufficient storage space “difficult” or would have a “minimal” chance of success. *See* POR at 27.

Element 1h

To store “audio and video data,” Vermeulen discloses “a storage model for providing data storage to users as a service, such as a web service” that “may include a web services interface configured to receive, according to a web services protocol, client requests for access to data objects.” Ex-1005 at 1:26-28, 4:50-51, and 2:17-19. The POR does not appear to dispute that a POSITA could have combined Farber with Vermeulen’s disclosure of receiving requests for multimedia assets. *See* POR at 27-28 (simply referring to its arguments for Ground 1).

b. Claim 2

The POR does not dispute that Vermeulen discloses a REST API and that requests can be made through “the HTTP GET” command. Ex-1005 at 5:9-15 and POR at 28 (referring to its argument for Element 1b). Neither the POR nor Dr. Hernandez provide any support for their assertion that use of this REST API for requesting multimedia assets would have been “difficult.” The POR does not dispute that use of REST APIs and HTTP Get requests were commonly known in the art. *See* Ex-1002, ¶138. Accordingly, the POR’s vague statement that REST APIs are “complex” says nothing about whether they are complex *to a POSITA*. Additionally, given that Claim 2 is a dependent claim, Patent Owner cannot argue that independent claim 1 implicitly requires a REST API or that the addition of a REST API in Claim 2 would require redesigning the system of Claim 1.

C. Ground 3: Claim 3 is obvious in view of Farber and Pavlovskaja.**a. Claim 3**

Pavlovskaja discloses a “web content server” for delivery of multimedia channels. Ex-1006 at 3:5-7. “The web content server generates a set of browser instances” for cycling through a “set of web pages” that explicitly uses JavaScript. Ex-1006 at 3:63-66 and 16:56-62.

```

<HTML><HEAD><SCRIPT language=JavaScript>
var AdURL=new Array(4); var MaxSite=3;
var adindex=0;
var scriptTimeout=2000;
(
  AdURL[0]="www.Ski_Area_1.html";
  AdURL[1]="www.Ski_Area_2.html";
  AdURL[2]="www.Ski_Area_3.html";
  AdURL[3]="www.Ski_Area_4.html";
)
function loadPage() {var offset; adindex=getSearchValue("ScriptIndex");
if (adindex=="") adindex=0; if (adindex>MaxSite) adindex=0;
ArctosScriptFrame.location=AdURL[adindex];
setTimecut("bumpNumber()", scriptTimeout);}
function bumpNumber() {adindex++; if (adindex>MaxSite) adindex=0;
if (location.search.length>0) {var RetStr=""; var searchStr=
"Scriptindex+"; var offset=0; var end =0; var len=0;
if (offset !=-1) {offset +=searchStr.length; end=
location.search.indexOf("&", offset);
if (end== -1) end = location.search.length; len=location.search.length;
RetStr = location.pathname + unescape(location.search.substring(0, offset)) +
adindex + unescape(location.search.substring(end, len));}
  
```

Diagram labels: 208 points to the script tag; 500 points to the array initialization; 502 points to the loadPage function; 504 points to the bumpNumber function.

Ex-1006 at Fig. 5. Although the POR asserts that “JavaScript needs to show that the DOM objects are transformed and parsed such that media files are involved” (see POR at 28), none of this is required by Claim 3. Instead, this element simply says that creating the interfaces is performed “using JavaScript” without specifying how JavaScript needs to be used. Similarly, the POR fails to explain its conclusory assertion that Pavlovskaja is “not easily combinable” with Farber. POR at 29. Farber discloses using HTML and the POR does not dispute that embedding JavaScript into HTML was well-known in the art. See Ex-1002, ¶142.

D. Ground 4: Claims 4, 5 and 8 are obvious in view of Farber and Davis.

Davis discloses using “a *H.264* and AAC codec” that are “*configured for a 1.5 Mbit/s bit rate video and 128 Kbit/s audio.*” Ex-1008 at 3:21-41 (emphasis

added). Alternatively, Davis discloses that a channel “might require video files in [MPEG2] format *with Dolby Digital Audio Coding 3 (AC-3) audio.*” Ex-1008 at 3:25-28 (emphasis added). For Claims 4, 5 and 8, respectively, the POR fails to explain why Davis’s “specified bit rate” or Davis’s “H.264” video encoder or Davis’s “AC-3” audio encoder could not be used with the “MPEG encoder” or “Audio Encoder” of Farber. POR at 29.

The POR does not dispute that H.264 is one of the most commonly used MPEG video codecs and can be readily used with a number of container formats, such as the MPEG TS format used by Farber. *See* Ex-1002, ¶¶149-150. Similarly, the POR does not dispute that AC-3 is one of the most commonly used audio codecs. *See* Ex-1002, ¶¶153-154. Contrary to the POR, Davis’s disclosure of “produc[ing] *AAC audio* with H.264 video” does not complicate Claim 8’s requirement of using AC-3 audio. Claim 8 is dependent on Claim 1—not Claim 5—and thus does not also require use of H.264. *See* POR at 30.

E. Ground 5: Claims 6 and 9 are obvious in view of Farber and Fogel.

a. Claims 6 and 9

Fogel discloses using the “engine Webkit” for rendering HTML. Ex-1009 at [0062]-[0064]. The POR fails to provide any explanation for why Farber’s interfaces, which use HTML, cannot be retrieved and rendered using a WebKit browser, which the POR does not dispute was commonly known to POSITAs.

F. Ground 6: Claims 10-16 and 18-23 are obvious in view of Avellan and Pavlovskaja-PCT.

a. Claim 10

Preamble 10

The POR does not dispute Preamble 10.

Element 10a

The POR does not dispute that Pavlovskaja-PCT discloses virtualizing a system. Instead, the POR asserts that “[a]s the network interface in Avellan is a ‘Satellite’ then a POSITA will not feel a motivation . . . to obtain a virtual satellite.” POR at 32. In addition to providing no explanation for this statement, Avellan is not limited to a “satellite” system and explicitly states that “a satellite *need not be used*.” Ex-1004 at 4:41-43 and 4:49-52 (emphasis added).

Element 10b

The POR asserts that Avellan does not disclose Element 10b because “Petitioners treat web pages as media streams.” POR at 32. The POR misunderstands the Petition and Avellan, which as detailed in the Petition discloses a method that can generate requested media streams—such as the disclosed broadcast channels—using content obtained from the web. Indeed, the ’441 Patent itself discloses that “contents corresponding to the multimedia items can be retrieved, downloaded, or otherwise obtained from one or more websites . . .” Ex-1001 at 7:60-62. The media stream is then “assembled” in Element 10f from screen

captures of a web page rendered using that content. Avellan discloses that exact same process.

Similarly, there is no requirement that the request *originates* from the content provider as opposed to merely being “receiv[ed] from” the content provider, as recited in the claim language. *See* POR at 33. Previously, the Board held that the plain language “does not limit the request’s origin in any way” and, as a result, preliminarily agreed with Petitioner that “gateway server 134 receives a request from broadcast device 102 for at least one media stream.” Paper 18 at 22-23. Given the POR does not dispute that Avellan discloses a “broadcast transmitter/receiver” that receives a request for a media stream from broadcast device 102, Avellan discloses this element.

Element 10c

The POR asserts that this element requires “a *separate request* to the ‘web page’.” POR at 33 (emphasis added). Although unclear, Patent Owner appears to argue that Claim 1 requires two separate requests: (1) a first request to obtain content corresponding to multimedia items; and (2) a second request to obtain content corresponding to a web page. *See* POR at 33-34. For example, during his deposition, Dr. Hernandez asserted that “the web page is one request separate from the obtaining request” and attempted to distinguish Avellan on the basis that it “can only retrieve items that are embedded as part of a web page only.” Ex-1032 at 90:21-92:5.

However, the plain language does not require two separate “requests” or “obtaining” steps or otherwise suggest that “content corresponding to the plurality of multimedia items” cannot be obtained from retrieval of a web page. The ’441 Patent itself discloses that “contents corresponding to the multimedia items can be retrieved, downloaded, or otherwise obtained from one or more websites . . .” Ex-1001 at 7:60-62. Patent Owner appears to confuse the relationship between Element 10c reciting “obtaining content” and Element 10d reciting “rendering a web page . . . using the content” by incorrectly suggesting that Element 10d *further requires* obtaining content separate from the content obtained in Element 10c. But Element 10d simply requires rendering a web page “using the content,” which under antecedent basis principles refers to “the content” obtained in Element 10c. Because Avellan discloses obtaining “full multimedia web page[s],” including audio and video, Avellan discloses this element. *See* Ex-1004 at 5:5-19.

Element 10d

Avellan states “browser software 106 resides at the gateway 134” and can “*render pages*, images, and documents from the networks 150, 152.” Ex-1004 at 4:56-65 (emphasis added). “The gateway server 134 then images those web pages (which are typically in an HTTP format) to a video or image frame format.” Ex-1004 at 4:65-67. The POR fails to address this disclosure or explain why it is “highly

questionable” how rendering—which is a process commonly known to POSITAs—is performed. *See* POR at 34.

Element 10e

The POR does not appear to dispute that Avellan discloses Element 10e, and Petitioners respectfully refer to the passages cited in the Petition. *See* POR at 34. Instead, the POR simply asserts that this process “best provides ‘compressed video files’ not media streams” for purposes of Element 10f. *See* POR at 34.

Element 10f

Following the screen capture process, Avellan teaches that it can then “compress the data into a *compressed digital video format* that can be sent to the user.” Ex-1004 at 5:20-5:22 (emphasis added).

Although Avellan explicitly states that it can broadcast media such as “live streaming television feeds” (*see* Ex-1004 at 8:18-21), Dr. Hernandez nonetheless concludes that Avellan’s reference to a “compressed” video format inherently means generating a ZIP or TAR file that presumably cannot be streamed to a user. As asserted by Dr. Hernandez in the related proceeding in IPR2025-00349, “[t]here is a distinction on creating a ‘*compressed video file*’ that requires the use of ZIP or TAR files, as opposed to *encoding and decoding* of video frames,” such as through the MPEG standard. *See, e.g.*, IPR2025-00349 at Ex-2039, ¶126 (emphasis in original); *see also* Ex-1032 at 155:10-20 and 156:11-18.

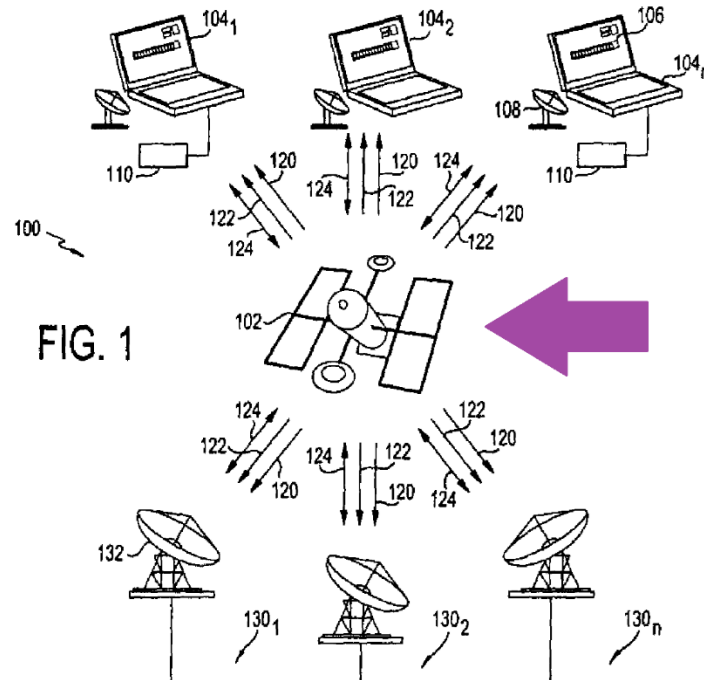
But Avellan says nothing about “ZIP” or “TAR” files and does not support Dr. Hernandez’s artificial distinction between generating a “compressed video format” and “encoding” video. Although Dr. Hernandez suggests that a POSITA would view “compressing” video as distinct from “encoding” video (*see* Ex-1032 at 168:6-7), this assertion defies the understanding of his *own* technical expert in the underlying litigation. In particular, Dr. Borko Furht of Florida Atlantic University—who is engaged by Patent Owner in the district court proceeding—has academic papers referring to “the MPEG *compression* standard” and a patent stating that “[a] video codec can include an electronic circuit or software that *compresses or decompresses* digital video.” *See* Ex-1035 and Ex-1036 at 1:23-24 (emphasis added); Ex-1032 at 39:18-21. Similarly, the POR’s own exhibits refer to “MPEG video compression” (Ex-2040 at Chapter 5) and “the processes of compression (encoding) and decompression (decoding)” of video data (Ex-2042 at 2). As a result, Dr. Hernandez has no basis to restrict Avellan’s broadcasting of “live streaming television feeds” using a “compressed digital video format” to merely sending ZIP or TAR “file snippets” that presumably would not satisfy the claimed “media stream.” *See* Ex-1032 at 122:24-25.

Similarly, the ’441 Patent also does not exclude the generation and storage of a “compressed video file” prior to broadcast. For example, Claim 26 recites providing a “*recorded* media stream” to the content provider, which would

necessitate storage of that stream. *See also* Ex-1001 at 11:30-33 (disclosing a “caching server” from which “a file can then be streamed”) and 7:37-39 (disclosing “an MPEG Transport Stream file that can be *retrievable* or streamed to the multicasting embodiment”). As a result, the POR’s insinuation that generation of a compressed “file” is somehow incompatible with a “media stream” is contrary to the ’441 Patent.

Element 10g

Avellan states that after the video stream is generated, it “sends it to the browser 106 via the satellite 102.” Ex-1004 at 5:12-5:15 and 8:54-56. The POR does not dispute that a content provider can include a “satellite” operator or that Avellan discloses using the broadcast transmitter (i.e., satellite antenna 132) to send the stream to satellite 102 for broadcast.



Ex-1004 at Fig. 1.

b. Claim 11

Avellan states “gateway server 134 retrieves the desired data from the networks 150, 152, captures that data (*including audio*) to a video (or image) frame format, compresses that video data and stores the compressed video data in the gateway 130 at the cache 136.” Ex-1004 at 8:42-46 (emphasis added). Avellan further notes that it can “capture and transmit *images/audio of a web page, including a full multimedia web page*, regardless of its size or original format (e.g., HTTP).” Ex-1004 at 5:16-5:19. The POR appears to repeat its argument from Element 10c—*i.e.*, that a request “separate from a web page” is required. POR at 36. For the above reasons, this argument is without merit.

c. Claim 12

Although unclear, the POR suggests that the claim requires “using a single audio file without any compressing steps as described in Avellan.” POR at 37. However, the actual claim language recites “*at least* one audio file,” which would include using one or more audio files to create each of the plurality of multimedia items. Similarly, the claim language does not exclude a “compressed” audio file, and the POR fails to explain its basis for this assertion.

d. Claim 13

Avellan discloses that “the gateway server 134 can *continuously or periodically compare* the broadcast data stored in the cache 136 with the broadcast data at the networks 150, 152 and *re-capture any broadcast data which is updated.*” Ex-1004 at 8:65-9:3 (emphasis added). The POR asserts, however, that “Avellan can only detect changes on a web page” and “web page changes are isolated from retrieving multimedia items.” POR at 37. Although this argument is unclear, Petitioners note that the claim recites “detecting a change at the at least one webpage corresponding to at least one of the plurality of multimedia items” and does not require “retrieving multimedia items”—rather, these multimedia items are “reassembled” using new screen captures of the rendered web page. Similarly, the POR fails to explain its basis for believing that Avellan only captures “YouTube thumbnails,” which is not even mentioned in Avellan. *See* POR at 38.

e. Claim 14

The POR does not appear to dispute Claim 14. *See* POR at 38.

f. Claim 15

The POR does not offer any argument disputing that Avellan discloses Claim 15. *See* POR at 38.

g. Claim 16

The POR does not offer any argument disputing that Avellan discloses Claim 16. *See* POR at 38.

h. Claim 18

The POR refers to Claim 10 and its argument that “the analysis is inconsistent as [to] the provider.” POR at 39. Accordingly, Petitioners refer to their corresponding arguments above.

i. Claim 19

Pavlovskaja-PCT discloses that “multiplexor 1280 combines the audio and video streams” for output. Ex-1007 at 24:5-6. Pavlovskaja-PCT discloses that the multiplexor multiplexes “an MPEG stream.” Ex-1007 at 30:13 and 13:20-21. Similarly, Avellan discloses generating a compressed digital video format with video frames. Ex-1004 at 5:13-15; Ex-1002, ¶178. Neither the POR nor Dr. Hernandez explain why Avellan allegedly “cannot use of an ‘MPEG Transport Stream’ that is compatible with a Multiplexer.” *See* Ex-2039 at ¶271.

j. Claim 20

Pavlovskaia-PCT states that its content is processed “at the processing office *and is orchestrated by the assigned virtual machine.*” Ex-1007 at 13:26-14:2 and 8:1-2 (stating “the processing office runs a virtual machine and accesses and runs the requested application”). Despite this disclosure, Dr. Hernandez asserts that “the virtualization of different network ports, storage, provisioning of IP addresses, credentials, etc.” is not disclosed. Ex-2039 at ¶280. However, this level of detail is not required by the plain claim language.

k. Claim 21

As detailed above, Pavlovskaia-PCT discloses use of a “virtual machine.” The POR fails to explain its assertion that “virtualization . . . cannot be derived from ‘virtual machine’ alone.” POR at 39. Claim 21 merely requires that virtualizing the system is performed using (as one option) “a virtual machine.” For the reasons explained in the Petition for Claim 20, Pavlovskaia-PCT discloses virtualization of its system for processing content.

l. Claim 22

The POR asserts that this “will require virtualization of the satellite feed which is not a trivial task.” POR at 40. However, in addition to providing no explanation for this statement, Avellan is not limited to a “satellite” system and explicitly states

that “a satellite *need not be used.*” Ex-1004 at 4:41-43 and 4:49-52 (emphasis added).

m. Claim 23

In Pavlovskaja-PCT, generating a data channel “occurs at the processing office and is orchestrated by the assigned virtual machine.” Ex-1007 at 13:26-14:2. For example, “the client device assigns a processor/virtual machine for the client device for the requested mosaic application.” Ex-1007 at 30:9-11. “The assigned virtual machine constructs the personalized mosaic by composting the groomed content from the desired channels using a stitcher.” Ex-1007 at 30:11-12. Accordingly, POSITAs would understand that a user in Pavlovskaja-PCT receives a desired channel (i.e., a requested mosaic delivering a video stream) that corresponds to an assigned virtual machine. Ex-1007 at Fig. 22 and 29:24-26; Ex-1002, ¶184. Contrary to the POR, Petitioners are not relying on the word “virtual machine” alone, but rather the full disclosure of Pavlovskaja-PCT.

G. Ground 7: Claim 15 is obvious in view of Avellan, Pavlovskaja-PCT and Durante.

The POR appears to argue that Claim 5 requires visually displaying the metadata (see POR at 41). However, this is not required by the plain language of Claim 5. Nonetheless, to the extent this is required, Durante explicitly states that “various metadata associated with the music video can be displayed, such as the name of the artist.” Ex-1010 at 7:33-35.

H. Ground 8: Claim 16 is obvious in view of Avellan, Pavlovskaja-PCT and Ma.

The POR provides no explanation for why “Avellan requires mapping per website, per interaction, per user, therefore the combination fails.” POR at 42. Avellan’s system obtains content from websites, such as CNN, ESPN, YouTube or from web services like Netflix. Ex-1004 at Fig. 1. Similarly, Ma teaches assigning “different channel identifiers to various web sites,” such as Yahoo.com. Ex-1011 at 5:5-11; Ex-1002, ¶192. Assigning an identifier to a website would be a trivial task and would not require altering Avellan. Ex-1002, ¶192.

I. Ground 9: Claim 17 is obvious in view of Avellan, Pavlovskaja-PCT and Suzuki.

Given that Avellan discloses transmitting content in a compressed digital video format, the POR fails to explain why use of an “MPEG format”—which is commonly known to POSITAs—would require “undue experimentation.” *See* POR at 42.

J. Ground 10: Claim 24 is obvious in view of Avellan, Pavlovskaja-PCT and Gangadharan.

a. Claim 24

Contrary to the POR, the claim does not require “using a REST API” or the “disclosure of an HTTP server.” *See* POR at 43.

K. Ground 11: Claim 25 is obvious in view of Avellan and Wannamaker.

a. Claim 25

Element 25f

Presumably referring to Element 25b, the POR states that “the claim is any port” and not “only Port 80.” POR at 44. However, Claim 25 does not require the ability to use “any port.”

Element 25g

Wannamaker teaches that “[p]rocesses register their socket host and port with the supervisor.” Ex-1013 at [0149]. In connection with those processes, Wannamaker discloses an “operator management interface (OMI)” that can “monitor and control the application server” from a remote location and has “the capability to view log messages, start up and shut down the system, monitor and terminate user sessions, and monitor downstream bandwidth.” Ex-1013 at [0305]-[307]. POSITAs would recognize that the status information would be sent to the OMI from the application server through “a second TCP/IP socket”—*i.e.*, the socket host and port registered with the supervisor process. Ex-1002, ¶203.

L. Ground 12: Claim 26 is anticipated by Avellan.

Element 26f

Avellan discloses a multicasting unit and states that “users may decide to join a multi-cast group, and communications unique to that group would be transmitted

to those user computers 104₁-104_n over that multi-cast channel.” Ex-1004 at 12:11-18. The POR fails to address Avellan’s actual disclosure or the actual claim language. *See* POR at 46.

Element 26g

The POR does not dispute that Avellan stores (i.e., records) compressed video—such as video for streaming—in the cache. *See* POR at 46. As explained above for Element 10f, the POR’s assertion that compressed video cannot be a “media stream” is unsupported and contrary to the ’441 Patent.

Element 26h

Avellan teaches that “preferably more than one server 134 stores Internet data in a cache 136 *for redundancy* and to better distribute communication channels for that server 134.” Ex-1004 at 9:55-57. POSITAs would recognize that Avellan therefore teaches that when a fault is detected at a caching unit, pre-recorded video images would be retrieved from memory associated with a different caching unit. Ex-1002, ¶208. The POR does not appear to dispute that Avellan discloses Element 26h on its own and instead focuses on Avellan being “combinable” with Wannamaker under Ground 13 (see below). POR at 47.

M. Ground 13: Claim 26 is obvious in view of Avellan and Wannamaker.

For Element 26h, Wannamaker discloses caching rendered content for delivery and, in response to a server failure, routing the transaction to another server,

which is able to retrieve the requested content from its own rendered cache for delivery. The POR argues without basis that “the browsers are not compatible” between Avellan and Wannamaker. However, in both references, the browsers render HTML and generate image files/screen captures for encoding and transmission. Ex-1013 at [0259]-[0264]; Ex-1004 at 4:56-65.

V. CONCLUSION

Accordingly, Petitioners respectfully request cancelation of the Challenged Claims.

Dated: December 12, 2025

Respectfully submitted,

/s/ Masood Anjom

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VI. CERTIFICATE OF WORD COUNT

Pursuant to 37 C.F.R. §42.24(d), Petitioners hereby certify, in accordance with and reliance on the word count provided by the word-processing system used to prepare this petition, that the number of words in this paper is 5,590. Pursuant to 37 C.F.R. §42.24(d), this word count excludes the table of contents, table of authorities, mandatory notices under §42.8, certificate of service, certificate of word count, appendix of exhibits, and any claim listing.

Dated: December 12, 2025

/Masood Anjom/

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Counsel for Petitioners,
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CERTIFICATE OF SERVICE

The undersigned certifies that on the twelfth day of December, 2025, a complete and entire copy of the foregoing “PETITIONERS’ REPLY TO PATENT OWNER RESPONSE” including exhibits, if any, was served on the date below on the following counsel of record via email per Patent Owner’s consent to electronic service.

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