

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.

IPR2025-00634
U.S. Patent No. 11,871,088

**PETITIONER'S SHOWING OF GOOD CAUSE FOR
PARALLEL PETITIONS**

Sportradar AG (“Petitioner”) requests IPR of claims 1-7 and 24-34, and 8-23 of U.S. Patent No. 11,871,088 (“the ’088”). As explained in the Petitions, the instant IPR petitions are “copycat” petitions raising the same grounds and relying on substantively the same evidence as the petitions in IPR2025-00251 & IPR2025-00252 filed on December 6, 2024 by Genius Sports LTD (“Genius”), and Petitioner intends to seek joinder with the ’00251 and ’00252 IPRs in the event they are instituted by the Board. *See* Petition at 1.

1. REASONS WARRANTING TWO PETITIONS

PO is asserting 34 claims from ’088 in the Texas Litigation. *See* Ex.1057 at 4. 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 ’088 claims and respectfully requests that the Board institute both petitions. The Board should institute both petitions for three basic reasons. First, the claims cannot be addressed in one petition because of the number and length of the claims (which alone includes roughly 3,431 words) and because of the nature of the claims themselves. Second, each petition challenges different claims. Thus, the petitions are not duplicative and efficiently address the patentability of the ’088 claims. Third, the petitions cite essentially the same art against all claims, thus minimizing the burden on the Board from instituting both petitions.

The first petition challenges 18 claims including two independent claim. The second petition challenges 16 claims including two independent claims. The Challenged Claims are directed to substantially overlapping subject matter and the multiple petitions are only needed due to the large number and length of the Challenged Claims. *See e.g., AliveCor, Inc. v. Apple Inc.*, IPR2023-00949, paper 8 (P.T.A.B., January 9, 2024) (acknowledging that “[j]ust reproducing the [almost 1000 word] claims and claim limitations alone, as a Petitioner generally must do for purposes of appropriate analysis, accounts for a significant portion of the required 14,000 word count”).

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 claims asserted in the Texas Litigation would not be complete without considering both petitions:

Rank	Petition	Challenged Claims	Prior Art Applied in Grounds
A	IPR2025-00635	8-23	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 Pub. No. 2018/0367820 to ("Abulikemu").

B	IPR2025-00634	1-7 and 24-34	<ol style="list-style-type: none">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 Pub. No. 2018/0367820 to ("Abulikemu").
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3. CONCLUSION

Petitioner is filing these two IPR petitions against claims 1-7, 24-34, and 8-23 of the '088 as "copycat" petitions to the petitions previously filed by Genius in IPR2025-00251 & IPR2025-00252, and intends to seek joinder with those IPRs (and assume a "passive understudy role") in the event they are instituted by the Board.¹ Petitioner has not previously filed any IPR petitions against the '088. Petitioner is thus not abusing process; rather, Petitioner is merely providing the Board with sufficient context and analysis to fully understand the nature of the challenged to the

¹ In the event that Genius withdraws its IPR petitions prior to institution, Petitioner intends to rely on the instant petitions as grounds for seeking *inter partes* review of claims 1-9, 19-25, and 27-30 of the '697.

claims and the asserted prior art. For these reasons, the Board should institute both petitions.²

Date: February 24, 2025

Respectfully submitted,

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² The Administrative Procedures Act and substantive and procedural due process weigh against denying the institution of either petition under 35 U.S.C. § 314(a).

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 February 24, 2025, via Federal Express® directed to PO at the correspondence address of record:

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

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