

From: [Trials](#)
To: [Fowles, Adam](#); [Anthony Dowell](#); [Richard McCaulley](#); [Scott Jarratt IPR](#); [Kalyani Joshi IPR](#)
Cc: [Trials](#)
Subject: RE: IPR2025-00700
Date: Tuesday, May 5, 2026 11:15:36 AM
Attachments: [image002.png](#)

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Counsel,

Petitioner is authorized to file a motion to Strike limited to 5 pages. The motion is due not later than May 8, 2026. Patent Owner is authorized to file an opposition to Petitioner's limited to 5 pages. The opposition is due no later than May 13, 2016.

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
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From: Fowles, Adam <Adam.Fowles@haynesboone.com>
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Subject: IPR2025-00700

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To the Honorable Boad:

In IPR2025-0700, Petitioner respectfully requests authorization to file a motion to strike a portion of Patent Owner's Sur-Reply. The Sur-Reply presents a new argument that was not presented in Patent Owner's Response and is not responsive to Petitioner's Reply.

Specifically, Patent Owner argues for the first time in Sur-Reply that "substantially real time" requires "a system that, in response to a user request, determines where content resides in storage and routes the content across distribution centers while playback is occurring," "a coordinated operational model ... not satisfied by merely timing playback." Sur-Reply at 8, 9. However, in both the Preliminary Response and Patent Owner Response, Patent Owner had argued only that "substantially real time" "requires playback while transmission is ongoing," with no reference to "a coordinated operation model" requirement as pertinent to "substantially real time." POR at 30.

The parties have conferred, and Patent Owner opposes Petitioner's request. The parties are generally available for a conference call next week if needed.

Best,
Adam Fowles
Counsel for Petitioner

HAYNES BOONE

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