

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner

v.

SANDPIPER CDN, LLC,
Patent Owner

Case IPR2025-00969
U.S. Patent No. 8,478,903

PATENT OWNER'S SUR-REPLY TO PETITIONER'S REPLY

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TABLE OF CONTENTS

I.	PETITIONER’S ASSERTION THAT KENNER DISCLOSES “THE EXACT TYPE” OF CLAIMED SYSTEM IS UNSUPPORTED.	1
A.	Kenner Directs All Content Requests from a Client Machine to a Single Assigned PIM Regardless of the Video ID Content.	2
B.	Kenner Uses an Internet Address for the Initial Request, Not an Alias Name.....	3
C.	Petitioner’s “Neighboring IM” Theory Does Not Address Requests from a Client.....	3
II.	PATENT OWNER’S ARGUMENTS ARE BASED ON THE PLAIN LANGUAGE OF THE CLAIMS IN VIEW OF THE SPECIFICATION. ...	4
A.	The Specification demonstrates that an “Alias Name” would be a “Host Name.”.....	4
1.	The POR Properly Interprets “Alias Name” in Light of the Specification.....	4
2.	Petitioner’s Claim Differentiation Argument Relies on a Mischaracterization of Dr. Mowry’s Testimony.	6
B.	The POR Does Not Impose a Special Meaning on “Associated With,” But Rather Explains Its Plain Meaning in View of the Specification...	7
C.	The Claim Language Recites the Request Itself Be Directed to the Repeater Server Based on the Alias Name.	8
D.	Petitioner Mischaracterizes Patent Owner’s Argument Regarding “Authorized Content Providers.”	9
III.	KENNER’S VIDEO ID DOES NOT DISCLOSE THE CLAIMED “ALIAS NAME.”	11
A.	Petitioner Improperly Conflates “Alias Name” with Content Provider Information.	11
B.	Kenner’s Video ID Are Not “Associated With” a Repeater Server. ..	12
C.	Kenner’s Content Requests Are Not “Directed to” a Repeater Server Based on the Alias Name.	14
D.	Kenner’s Architecture Confirms That the Video ID Is Not the Claimed Alias Name.	17

IV.	PETITIONER’S ARGUMENTS REGARDING “AUTHORIZED CONTENT PROVIDERS” DO NOT CURE THE DEFICIENCIES IDENTIFIED IN THE POR.	19
V.	PETITIONER HAS NOT SHOWN THAT KENNER DISCLOSES A REPEATER SERVER “ADDRESSABLE USING” ALIAS NAMES (CLAIM 2).....	21
VI.	THE KENNER-REKIMOTO COMBINATION DOES NOT TEACH OR RENDER OBVIOUS CLAIM 34.....	22
VII.	CONCLUSION.....	25

Petitioner's Reply does not cure the deficiencies identified in the Patent Owner Response ("POR"). Rather than addressing the claim language and how Kenner actually operates, Petitioner relies on generalized descriptions of content delivery systems, mischaracterizes Patent Owner's claim construction positions, and continues to treat Kenner's video ID as the claimed alias name even though the video ID does not identify a repeater server, determine where to direct a client request, or impact which server receives the request. Petitioner's Reply therefore still does not demonstrate the unpatentability of the challenged claims.

I. PETITIONER'S ASSERTION THAT KENNER DISCLOSES "THE EXACT TYPE" OF CLAIMED SYSTEM IS UNSUPPORTED.

Petitioner's assertion that Kenner discloses "the exact" type of content delivery network of the '903 patent is inconsistent with how Kenner handles requests from client machines. Pet. Reply, 1-3; POR, 35-43. As the POR explained, Kenner directs all client requests to a single assigned PIM using a virtual URL, does not select a server from among multiple servers based on information in the request, and does not direct the request received from the client machine based on an alias name. POR, 35-43.

Kenner's deficiencies and Patent Owner's non-obviousness explanations are supported by Dr. Shenoy's detailed and well-supported opinions (EX2016). Yet, Petitioner chose not to challenge Dr. Shenoy's opinions through deposition.

Shimano Inc. v. GlobeRide, Inc., IPR2015-00273, Paper 40 at 20 (P.T.A.B. June

16, 2016) (“Because [Petitioner] did not depose [the declarant], his testimony is undisputed”); *Symbol Techs., Inc. v. Opticon, Inc.*, 935 F.2d 1569, 1576 (Fed. Cir. 1991) (“Cross-examination [is] the proper procedure for the defendant to challenge the accuracy of [the expert’s] opinion.”). Petitioner’s unsupported attorney argument in the Reply cannot overcome Patent Owner’s showing of Kenner’s deficiencies in the POR, which is supported by evidence and expert testimony.

A. Kenner Directs All Content Requests from a Client Machine to a Single Assigned PIM Regardless of the Video ID Content.

As explained in the POR, Kenner directs all requests from a client terminal to a single PIM, regardless of video ID content. POR, 40-41. When a terminal requests a desired video clip, the local SRU passes the video ID to the PIM “associated with the user’s terminal.” EX1005, 36:22-27. This occurs regardless of whether the requested clip is locally stored. POR, 40-41. Kenner therefore directs all requests from the client terminal to the same PIM (e.g., PIM 64) and does not examine the content of the video ID to determine which IM should receive the request. *Id.*

Accordingly, Kenner does not describe a system that directs a client request by identifying a particular server based on the content of the client terminal’s request. Instead, the same PIM 64 always receives client requests from the terminal. POR, 41.

B. Kenner Uses an Internet Address for the Initial Request, Not an Alias Name.

The POR further explains that Kenner directs client requests using the *Internet address* of the PIM contained in the virtual URL. POR, 35-36; EX1005, 37:7-17. Upon receipt, the PIM decomposes the virtual URL into components, including the video ID, which are then used to access internal databases. EX1005, 37:15-17; POR, 36.

Accordingly, the Internet address (and not the video ID) is the mechanism used to identify the PIM and direct resource requests from a client terminal to the PIM. POR, 36. Kenner's video ID is instead *subsequently* used by the PIM after the PIM has already received the video ID, which fundamentally differs from the alias name functionality recited in the claims. EX1005, 37:15-17; POR, 36–37.

C. Petitioner's "Neighboring IM" Theory Does Not Address Requests from a Client.

In Petitioner's Reply, Petitioner reiterates its "neighboring IMs" theory. Pet. Reply 15-16. But the POR explained that Petitioner's reliance on communications between IMs, such as a "neighboring IM" querying a PIM, does not address the claim feature that requests from client machines are "directed to" the "at least one shared repeater server" based at least in part on the alias name. Pet. Reply, 15-16; POR, 42-43. Specifically, the claims refer to handling and directing requests that are directly received from the client machines. POR, 42-43. Thus, Petitioner's

theory of another IM querying a PIM or a PIM querying another IM does not address the original handling of a request received from a client machine, and therefore does not satisfy the claimed functionality. POR, 43.

Thus, even where Kenner describes querying performed by neighboring IMs, that activity occurs only after the client request has already been directed to the original PIM associated with the client and does not relate to how the request from the client machine is initially directed. *Id.* Accordingly, Petitioner's reliance on IM-to-IM communications does not demonstrate directing the client request to a server based on an alias name. Instead, Kenner directs the request received from the client machine to the same PIM associated with that client terminal, irrespective of the video ID or any subsequent IM communications. *Id.*

II. PATENT OWNER'S ARGUMENTS ARE BASED ON THE PLAIN LANGUAGE OF THE CLAIMS IN VIEW OF THE SPECIFICATION.

A. The Specification demonstrates that an "Alias Name" would be a "Host Name."

1. The POR Properly Interprets "Alias Name" in Light of the Specification.

Petitioner asserts that the POR relies on an improper claim construction of "alias name." Pet. Reply, 3-6. Contrary to this assertion, the POR's interpretation is grounded in the intrinsic record and is consistent with the description of the claimed embodiments. *See* POR, 11-14; EX2017, 20:15-21:12.

Petitioner's "examples only" response does not identify any plain and ordinary meaning of "alias name." Patent Owner is not importing an embodiment into the claims; the specification's host name-based examples, together with the claim language requiring alias names to be associated with repeater servers and used to direct requests to those servers, confirm how a POSA would understand the term in context. Petitioner identifies no contrary plain meaning, and its own expert confirmed that the disclosed alias names are "consistent with the form of a host name." EX2017, 20:15-21:12.

As explained in the POR, the '903 patent describes an "alias name" as a host name that identifies a repeater server, such as names in the form "wrl.example.com," where each name corresponds to a particular repeater. POR, 10-13, 33-34. An alias name is therefore associated with a specific repeater server and identifies that repeater server using a host name format.

This understanding is consistent with the claim language, which directs requests from client machines to a particular repeater server "based at least in part on" the alias name. POR, 42-43. Because the alias name is used to determine which repeater server receives the initial request from the client machine, the alias name must be associated with and identify that repeater server. POR, 38, 42-43.

The POR does not rely on an incorrect claim construction, but interprets this term in light of the specification and claim language. POR, 10-14. That is, the

POR's reliance on the '903 patent's specification to interpret "alias name" to be a host name reflects a proper interpretation of the claim term in light of the specification and claim language, and does not improperly narrow the claim term as Petitioner asserts.

2. Petitioner's Claim Differentiation Argument Relies on a Mischaracterization of Dr. Mowry's Testimony.

Petitioner argues that "alias name" need not be a host name, relying on claim differentiation with claim 25, which recites the "first alias name" being a "domain name." Pet. Reply, 4. Petitioner asserts that host names and domain names are interchangeable, and that "narrowing of alias names to domain names in the dependent claim demonstrates the term's broader scope." *Id.* This argument fails because it relies on a mischaracterization of the record.

Petitioner has not shown that "host names" and "domain names" are interchangeable. Rather, Petitioner relies only on a POR statement that the terms have a similar form and are sometimes used interchangeably. *Id.*; POR, 53 (citing Dr. Mowry's deposition testimony (EX2017, 23:18-21, 60:1-9)).

In fact, Dr. Mowry did not testify that host names and domain names are always interchangeable. Rather, his testimony reflects that the terms may be used "loosely" in some contexts, but that a host name typically refers to a specific machine, whereas a domain name may constitute only a portion of a host name depending on the context. EX2017, 22:12-17. Thus, even Petitioner's own

evidence confirms that the terms are ***not*** equivalent and do not carry the same meaning in all circumstances. Petitioner's claim differentiation argument therefore rests on a premise unsupported by the record.

B. The POR Does Not Impose a Special Meaning on “Associated With,” But Rather Explains Its Plain Meaning in View of the Specification.

Petitioner asserts that Patent Owner relies on an improper construction of “associated with.” Pet. Reply, 6-7. However, Petitioner mischaracterizes the POR. The POR does not advance a special or narrowing construction of this term. Rather, the POR applies the plain language of “associated with” in the context of the claims and the specification. POR, 11-13, 42-43.

The claims recite that an alias name be associated with a repeater server, and that requests from client machines are directed to that repeater server “based at least in part on” the alias name. POR, 42-43. The claims therefore describe a relationship where the alias name corresponds to, and identifies, the repeater server that receives the request. *Id.*

The POR's discussion of “associated with” reflects this plain understanding. Specifically, alias names correspond to particular repeaters and are used to direct requests to those repeaters. POR, 33-34, 40-42. This explanation does not expand the claim language, but simply reflects what it means, in the context of the claims, for an alias name to be associated with a repeater server.

Petitioner’s argument erroneously treats this explanation as a narrowing construction divorced from the specification. Pet. Reply, 6-7. But the POR does not redefine “associated with.” Instead, it explains the relationship described in the claims and the specification—namely, that the alias name is linked to a particular repeater server to enable the directing of requests to that server.

Accordingly, Petitioner’s assertion that the POR relies on an improper construction of “associated with” is incorrect. The POR applies the plain meaning of the term in light of the intrinsic record and does not add anything beyond what is reflected in the claims and specification.

C. The Claim Language Recites the Request Itself Be Directed to the Repeater Server Based on the Alias Name.

Petitioner argues that the claims do not recite that a request be “originally directed” to the shared repeater server and suggests that subsequent routing or handling would suffice. Pet. Reply, 7-8. That argument is inconsistent with the plain language of the claims.

As the POR explains, the claims expressly recite that requests “from said client machines” are directed to “the at least one shared repeater server” based at least in part on the alias name. POR, 42. The claims therefore refer to handling requests that are directly received from the client machines and identifying a particular repeater server. POR, 42-43. Further, the “at least one shared repeater server” is the server that both (1) receives the request from the client machine

based on the alias name, and (2) returns the requested resource to the client. POR, 38. Thus, the claims are explicit that the request itself is directed to the repeater server identified based on the alias name, not that the request is later routed or handled by another server as Petitioner alleges. Pet. Reply, 7-8.

Petitioner's reliance on embodiments or general descriptions in the specification does not alter what the claims expressly recite. Pet. Reply, 8. Even if the specification describes particular routing implementations, the claim language itself recites the request being directed to the repeater server based on the alias name, and that express claim language governs. POR, 42-43.

Accordingly, Petitioner's argument improperly attempts to read out the claim language specifying that the request received from the client machine is directed to the repeater server based on the alias name. The POR correctly applies the plain language of the claims without adding anything beyond the claims themselves.

D. Petitioner Mischaracterizes Patent Owner's Argument Regarding "Authorized Content Providers."

Petitioner erroneously reframes Patent Owner's position as a claim construction dispute when the issue is instead a deficiency in Kenner and Petitioner's failure to meet its burden. The POR does not impose an explicit "authorization check," as Petitioner alleges. Pet. Reply, 7-8. Rather, the POR explains the plain language of the claim and demonstrates that Petitioner has not

shown that Kenner discloses content providers that are authorized to have resources delivered. POR, 46-48.

As explained in the POR, the claims recite a table listing content providers authorized to have resources delivered to client machines. *Id.* Kenner does not disclose such authorization of content providers but instead describes only checking an end user's subscription rights. *Id.* This explanation does not add anything beyond the claim language, but instead highlights that Kenner never describes the authorization of content providers at all.

Petitioner attempts to recast Kenner's deficiency by arguing that the claims do not recite an explicit "check." Pet. Reply, 8. But Petitioner misses the point. Patent Owner does not contend that the claims recite a particular checking mechanism. Instead, the POR demonstrates that Kenner fails to disclose the claimed concept of content providers being authorized to have their resources delivered, whether by a check or otherwise. POR, 43-48.

Thus, Petitioner's argument amounts to a hand-waving assertion of authorization without identifying where Kenner actually discloses that content providers are authorized in the manner recited by the claims. The absence of an "authorization check" in Kenner instead reflects Kenner's failure to disclose the claimed authorization of content providers. POR, 46-48.

Accordingly, Petitioner's attempt to frame this issue as one of claim construction fails. Petitioner still has not met its burden to demonstrate that Kenner discloses content providers authorized to have resources delivered to client machines.

III. KENNER'S VIDEO ID DOES NOT DISCLOSE THE CLAIMED "ALIAS NAME."

A. Petitioner Improperly Conflates "Alias Name" with Content Provider Information.

Petitioner asserts that an "alias name" need not include a "host name" and instead must merely "correspond to content providers." Pet. Reply, 10. That argument misstates both the claim language and the POR and still provides no plain and ordinary meaning for an "alias name."

In addition to the claim reciting that an "alias name" corresponds to a content provider, the claims also recite that an alias name be associated with a repeater server and used to direct requests to that repeater server "based at least in part on" the alias name. POR, 40-42. Contrary to Petitioner's assertions, the alias name is not only defined in terms of content providers, but also in terms of its relationship to, and identification of, a repeater server. Petitioner's argument improperly shifts the focus from the claimed relationship between the alias name and the repeater server to solely a relationship between the alias name and content providers. Pet. Reply, 10. However, as explained above, the claim language recites

more—specifically, that the alias name be associated with a repeater server and used to direct requests to that server. POR, 42-43.

Petitioner’s attempt to redefine the alias name as merely “correspond[ing] to content providers” therefore does not address the claim language or properly analyze Kenner. Pet. Reply, 10. Petitioner has read out the claimed language specifying that the alias name must also be associated with and used to identify the repeater server. Kenner’s video ID is therefore still deficient for the reasons provided in the POR. POR, 32-35.

B. Kenner’s Video ID Are Not “Associated With” a Repeater Server.

Petitioner argues Kenner’s video ID is “associated with” a repeater server because the video ID appears in a clip database for an IM that stores the corresponding clip. Pet. Reply, 10-12. This argument is unavailing for the reasons set forth in the POR. POR, 32-34.

Specifically, the claims recite the alias name being associated with the at least one shared repeater server, and that requests be directed to that repeater server “based at least in part on” the alias name. POR, 40-42. The claims therefore recite a relationship where the alias name corresponds to, and identifies, the repeater server that receives the request. *Id.*

As properly understood, Petitioner’s theory that Kenner’s storage of content creates such an association is therefore incorrect. Nothing in Kenner’s video ID

associates the video ID with a repeater server, and nothing in the video ID identifies the specific PIM that receives the request. POR, 33.

The POR further explains that, even when an IM stores a particular clip, the video ID does not become associated with that IM because the video ID characterizes *clip content*. *Id.* In this manner, the video ID reflects content-related information and identifies the types of files found in IMs rather than the IMs themselves. *Id.*

Petitioner's argument that the presence of a video ID in a clip database for an IM establishes an "association" with that IM simply restates the fact that content may be stored on a system component. Pet. Reply, 10-11. However, as the POR explains, identifying content stored on a system component is not the same as associating an identifier with that component in the manner claimed. POR, 33-34. The claims recite an association that ties the alias name to the repeater server for purposes of directing requests, not merely a generalized relationship between content and storage.

Moreover, the POR explains that Kenner uses a different mechanism to identify the PIM and direct the request to that PIM: the Internet address contained in the virtual URL. POR, 35-36, 40-41. Thus, even in Kenner's system, the video ID is not used to identify or select the server that receives the request and therefore is not associated with the repeater server as claimed.

Accordingly, Petitioner's reliance on the clip database does not address the claim language. The POR explains that Kenner's video ID is associated with content, not with a repeater server, and therefore does not satisfy the claim language reciting that the alias name be "associated with" a repeater server. POR, 33-34, 40-42.

Additionally, Petitioner's reliance on Dr. Mowry's testimony does not help. Pet. Reply, 12. As the POR explains, Dr. Mowry acknowledged that "content coordinate data" may identify IMs *likely* to have a clip and may result in the return of "one or more than one, or *even possibly zero other IMs.*" EX2017, 126:5-12 (emphasis added); POR, 33-34. Thus, simply storing a clip does not create a definitive association between a video ID and an IM. POR, 34.

C. Kenner's Content Requests Are Not "Directed to" a Repeater Server Based on the Alias Name.

Rather than addressing the claim language itself, Petitioner reframes the claims as covering requests occurring "after receiving a request that originated from a client machine." Pet. Reply, 12-15. The claims, however, do not recite requests that merely "originated" from a client machine. They recite the actual request issued by the client machine to be directed to the at least one shared repeater server "based at least in part on" the alias name. POR, 37-43. The claims therefore refer to handling the requests that are directly received from the client

machines, and indicate that the alias name be used as part of the process of directing those requests. POR, 42-43.

Petitioner's Reply presents two arguments in an attempt to map Kenner to the claims.

First, Petitioner argues that Kenner's local SRU directs a request to PIM 64 based on the video ID which it locates in the request. Pet. Reply, 13. Petitioner argues that if "the video ID were not present, it would not forward it to PIM 64." Pet. Reply, 13. This is false. Kenner explicitly states that even if a desired clip is found in the local SRU, the local SRU still forwards video ID to PIM 64. EX1005, 37:7-12 (Kenner stating that "[i]f the desired clip was located on the local SRU 51," the video ID is still sent to PIM 64 as part of the virtual URL). This demonstrates that **all** requests from terminal 50 are sent to PIM 64 and that requests are not directed to PIM 64 **because of** or **based on** the video ID. POR, 40-41. Thus, Kenner does not direct requests to a particular server based on a video ID and therefore does not teach the claimed directing of a client request **based on** an alias name.

Patent Owner also notes that this argument is a new theory not found in the Petition and should be rejected. *Intelligent Bio-Systems, Inc. v. Illumina Cambridge Ltd.*, 821 F.3d 1359, 1369 (Fed. Cir. 2016) ("It is of the utmost importance that petitioners in the IPR proceedings adhere to the requirement that

the initial petition identify ‘with particularity’ the ‘evidence that supports the grounds for the challenge to each claim.’”).

Second, Petitioner relies on content coordinate data as an alleged mechanism for directing requests to neighboring IMs. Pet. Reply, 13-16. However, a PIM querying another IM does not address the original handling of a request received from a client machine, and that the client terminal’s corresponding PIM still handles all requests received from the client terminal. POR, 42-43. Thus, later server-to-server communications are not the claimed client-issued request. The claims indicate that the actual request issued by the client machine is directed to the repeater server based at least in part on the alias name. Nowhere does Kenner describe such functionality.

Because Kenner routes the client request to a fixed PIM using the virtual URL, Petitioner cannot show that the client request itself is directed based on the video ID. Petitioner instead shifts to later requests that merely “originated” from the client. Pet. Reply, 15-16. However, in doing so, Petitioner ignores the claim language referring to “requests ... from said client machines.”

For the same reason, Petitioner’s reliance on downstream server activity reads out the claim language specifying that the request be directed “based at least in part on” the alias name. Under Petitioner’s characterization, the alias name need not play any role in routing the actual client-issued request; it is enough that the

identifier is used somewhere later in the system. Pet. Reply, 15-16. But Kenner does not use the video ID to determine where to direct the original request from terminal 50 or to identify PIM 64 as “the at least one shared repeater” meant to receive it. POR, 41-43.

Accordingly, Petitioner still has not shown that Kenner discloses directing requests from client machines to a repeater server “based at least in part on” an alias name.

D. Kenner’s Architecture Confirms That the Video ID Is Not the Claimed Alias Name.

Petitioner’s assertion that “[t]he alias name identifying at least one shared repeater server is not a requirement of the independent claims” is incorrect because it divorces the claim language from its functional context. Pet. Reply, 16. As explained in the POR, the claims state that requests are directed to the at least one repeater server “based at least in part on said first alias name” and that the alias name impacts where to initially direct a resource request from a client machine. POR, 38. Thus, the claims do not merely recite the existence of an “alias name.” Instead, the claims recite an alias name that must be utilized in identifying the repeater server to which the request is directed. Petitioner’s contrary position improperly reads this functional language out of the claims.

Petitioner’s attempt to characterize the alias name’s role in identifying a repeater server as an “additional function” is similarly flawed. Pet. Reply, 16. The

act of directing a request “based at least in part on [the] alias name” means that the alias name is used to determine the repeater server that is to receive the request. Without such identification, the claimed “directed to” would have no operative meaning.

Petitioner’s assertion that “[w]hether Kenner’s virtual URL performs this additional function is irrelevant” therefore fails as a matter of understanding the plain language of the claims. *Id.* Because the claims recite using the alias name to direct the request to the at least one shared repeater server, it is directly relevant whether Kenner’s alleged alias name (i.e., the video ID) performs that function. Petitioner cannot avoid this deficiency by labeling the claim language as “additional.” *Id.* Indeed, Patent Owner has consistently explained that using the claimed alias name is part of the process of directing requests to the at least one shared repeater server, which receives the original request from the client machine. POR, 38.

As explained in the POR, Kenner’s virtual URL explicitly identifies a particular IM using an “Internet address” and directs requests to that IM using the address in the virtual URL. POR, 35. Accordingly, Kenner’s virtual URL and its included “Internet address” are the mechanisms used to identify a PIM and direct resource requests to the PIM. POR, 35-36. Kenner’s video ID is not used for this purpose at all.

IV. PETITIONER’S ARGUMENTS REGARDING “AUTHORIZED CONTENT PROVIDERS” DO NOT CURE THE DEFICIENCIES IDENTIFIED IN THE POR.

As explained in the POR, the claims recite a “table” reflecting “content providers authorized to have resources delivered to client machines,” and the ’903 patent describes using this table to verify that an origin server belongs to a known subscriber permitted to utilize the repeater network. POR, 43-45. This table is used to determine whether a content provider is authorized to deliver resources to a requesting client machine, not merely whether an end user may access content. POR, 45.

In contrast, Kenner describes checking a user’s subscription rights and whether the user is authorized to receive a selected clip. POR, 45-47; EX1005, 37:18-31, 38:17-22, 52:7-12. Such functionality only addresses user permissions, not whether a content provider is authorized to have resources delivered via the shared repeater server. POR, 46-47.

Petitioner’s Reply does not cure this deficiency. Petitioner now argues that a content provider in Kenner “would have been authorized to have resources delivered” because its content was available on the PIM, and that the provider’s account number shows it “must be registered, and thus authorized, to use the system’s IMs.” Pet. Reply, 17-18. But the Petition did not present that theory; it relied only on passages concerning user subscription status. POR, 48; Pet., 17-20;

Pet. Reply, 17-19. The Board should therefore reject Petitioner's new authorization theory.

Nor does Kenner itself supply the missing disclosure. As the POR explained, Kenner says nothing regarding authorized content providers and does not discuss checking or using the authorization status of a content provider when determining whether to deliver resources to client machines. POR, 48. Kenner only describes the access permissions of end users. POR, 47. That remains true notwithstanding Petitioner's attempt to pivot from user authorization to an unsupported assumption about content providers. Petitioner's suggestion that content provider authorization can simply be inferred from content being present in the system or from the existence of a provider account number does not change the fact that Kenner does not disclose anything related to a content provider's authorization status. Pet. Reply, 17-19; POR, 47-48.

Petitioner's fallback position (i.e., that no content provider "check" is required) misstates Patent Owner's point. Pet. Reply, 19. As explained above, Patent Owner does not contend that a particular checking mechanism is required. Section II.D. Instead, the POR demonstrates that Kenner fails to disclose the claimed concept of content providers being authorized to have their resources delivered, whether by a check or otherwise. *Id.*

Petitioner's reliance on the Board's preliminary discussion in the institution discussion does not solve the problem either. The POR expressly addressed the notion that "all content providers are authorized to use the PIM in Kenner," and explained why that view was incorrect for two reasons: first, that theory was not presented in the Petition; and second, Kenner is silent with respect to authorized content providers. POR, 48.

V. PETITIONER HAS NOT SHOWN THAT KENNER DISCLOSES A REPEATER SERVER "ADDRESSABLE USING" ALIAS NAMES (CLAIM 2).

Petitioner argues that Kenner's virtual URL includes both an Internet address and a video ID and contends that, because the video ID is included in the virtual URL, the request is addressed to the PIM using the video ID. Pet. Reply, 20-22. That argument is inconsistent with Kenner's operation. POR, 35-36, 49-52.

Kenner's virtual URL expressly includes the Internet address of the PIM, which identifies and directs the request to that PIM. POR at 35-36, 51.

Specifically, Kenner states that the:

"virtual URL" is constructed in the form "http://" plus *the Internet address of the PIM 64*, plus the user's subscriber ID number, plus the video ID."

EX1005, 37:7-10 (emphasis added).

The video ID is merely included in the virtual URL and used only upon receipt at the PIM. POR, 36. Thus, the Internet address portion of the virtual URL—not the video ID—identifies the PIM and directs the request.

The mere inclusion of the video ID in the virtual URL does not mean that it is used to address the PIM. The video ID does not impact the decision of which server should receive the request at all. POR, 41. Accordingly, the video ID does not determine or influence where the request is sent, and therefore, does not render the PIM “addressable” using the video ID.

Petitioner’s argument improperly conflates the inclusion of an identifier in a request with the use of that identifier to address a server. Pet. Reply, 20-21.

However, the claim language recites the repeater server being “addressable using” the alias name, which means that the alias name is used to identify the server to which the request is directed. As explained in the POR, Kenner does not use the video ID for this purpose. Rather, Kenner uses the *Internet address* of the PIM to identify and direct the request, and therefore does not disclose a repeater server that is “addressable using” an alias name. POR, 36-37, 50-51.

VI. THE KENNER-REKIMOTO COMBINATION DOES NOT TEACH OR RENDER OBVIOUS CLAIM 34.

As explained in the POR, the Kenner-Rekimoto combination fails to render obvious claim 34 because (1) the combination does not teach transforming

Kenner's video ID into a domain name and (2) a POSA would not have been motivated to combine Kenner and Rekimoto for this purpose. POR, 52-56.

In response, Petitioner's Reply introduces a new theory and materially shifts the theory presented in the Petition. In the Petition, Petitioner argued that "*Kenner's* video ID (alias name) may be used as a domain name for resolution through *Rekimoto's* DNS server." Pet., 58-59. The POR directly addressed this theory, explaining that it requires reformatting Kenner's video ID into a domain name and introduces an internal conflict with Kenner's operation. POR, 53-54. Petitioner now presents a new theory and argues that that it would have been obvious to reformat **both** Kenner's virtual URL and video ID to take advantage of Rekimoto's DNS resolution. Pet. Reply, 22. The Board should reject this new theory because it is not found in the Petition. *Intelligent Bio-Systems*, 821 F.3d at 1369.

Regardless, Petitioner's new theory fails to address claim 34 because Kenner already uses the Internet address of the PIM in the virtual URL to identify and direct the request, while the video ID is used only after being received by the PIM. POR, 27, 35-37, 54-56. The video ID does not impact the decision of which server should receive the request at all. POR, 41. Therefore, reformatting the video ID still would not result in the "domain name" functionality recited in Claim 34 because Kenner's Internet address already identifies an IM.

This flaw also addresses Petitioner's theories related to identifying a destination server and directing a client request. Petitioner's reliance on IM-to-IM communications still does not demonstrate a reformatting of a video ID into a domain name because a PIM querying another IM does not address the original handling of a request received from a client machine. POR, 42. Because Kenner's virtual URL already includes an Internet address, a reformatted video ID would still not yield a domain name used to direct client requests.

Petitioner's motivation-to-combine discussion and reliance on IM-to-IM communications also fail. Petitioner argues that, when a clip is not on local SRUs, "the IM will direct the client request to the DNS server, as described in Rekimoto, to identify the closest IMs." Pet. Reply, 23-25. However, as the POR explains, a PIM querying another IM does not address the original handling of a request received from a client machine, and the client terminal's corresponding PIM still handles all requests received from the client terminal. POR, 42-43. In contrast, claim 34 recites receiving and resolving the alias name at a name server as "part of a client request" to "identify the at least one shared repeater server," not later inter-server communications after the request has already reached the PIM. Thus, Kenner's IM-to-IM communication still provides no motivation to combine Kenner and Rekimoto.

Additionally, the POR also explains why Petitioner's proposed modification would not reduce latency because additional steps would result in a more bloated and slower network. POR, 54-55. Petitioner attempts to refute the POR's arguments but never explains how adding a DNS resolution step reduces latency in Kenner's system where the destination server (PIM) is already expressly identified by the virtual URL. Rather, adding DNS would introduce additional unnecessary processing and make Kenner's system less efficient. *Id.* Thus, Petitioner still has not demonstrated a motivation to combine Kenner and Rekimoto.

VII. CONCLUSION

The Board should uphold the patentability of all challenged claims of the '903 patent.

Respectfully submitted,

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CERTIFICATE OF WORD COUNT (37 C.F.R. § 42.24(d))

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

I certify that the above-captioned **PATENT OWNER'S SUR-REPLY TO PETITIONER'S REPLY** was served in its entirety on June 29, 2026, upon the following parties via electronic mail:

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