

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.,

Petitioner,

v.

TIR TECHNOLOGIES LIMITED,

Patent Owner.

Case IPR2026-00346
U.S. Patent No. 9,800,633

**TIR TECHNOLOGIES LIMITED'S
PATENT OWNER
PRELIMINARY RESPONSE**

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2001	Order Granting Defendant's Motion to Dismiss, Dkt. 61, <i>Tir Technologies Limited v. Meta Platforms, Inc.</i> , No. 8:25-cv-02345-SVW-ADS, (C.D. Cal. June 25, 2026)
2002	Scheduling Order, Dkt. 40, <i>Tir Technologies Limited v. Amazon.com Services LLC, Amazon Web Services, Inc., Amazon Development Center U.S., Inc., AWS Security Assurances Services LLC, and Amazon Data Services, Inc.</i> , No. 1:25-cv-00865-RP, Scheduling Order (W.D. Texas Sept. 22, 2025)
2003	Defendants' Supplemental Preliminary Invalidity Contentions and Identification of Claims Defendants Contend are Directed to Ineligible Subject Matter, <i>Tir Technologies Limited v. Amazon.com Services LLC, Amazon Web Services, Inc., Amazon Development Center U.S., Inc., AWS Security Assurances Services LLC, and Amazon Data Services, Inc.</i> , No. 1:25-cv-00865-RP, (W.D. Texas Feb. 16, 2026)
2004	Defendant Meta Platforms, Inc. Motion to Dismiss First Amended Complaint and Memorandum of Points and Authorities, Dkt. 34, <i>Tir Technologies Limited v. Meta Platforms, Inc.</i> , No. 8:25-cv-02345-SVW-ADS, (C.D. Cal. Jan. 28, 2026)
2005	Tir Technologies Limited's Memorandum in Opposition to Motion to Dismiss, Dkt. 37, <i>Tir Technologies Limited v. Meta Platforms, Inc.</i> , No. 8:25-cv-02345-SVW-ADS, (C.D. Cal. Feb. 17, 2026)
2006	Statement Under 37 CFR 3.73(c) for parent application Ser. No. 13/945,747 (June 18, 2015)
2007	<i>Opera acquires Skyfire, broadens it mobile operator solutions beyond the browser</i> (Feb. 15, 2013), available at https://press.opera.com/2013/02/15/opera-acquires-skyfire-broadens-its-mobile-operator-solutions-beyond-the-browser/
2008	Order Granting-in-part Realtime's Motion to Compel Non-Party Skyfire to Comply with a Subpoena, <i>Realtime Data LLC d/b/a IXO v. Metropcs Texas, LLC, et al.</i> , No. C 12-80130 LHK (PSG), 2012 WL 3727304 (N.D.Cal. Aug. 28, 2012)

LISTING OF CHALLENGED CLAIMS

Reference	Limitation
Claim 1	
1[pre]	A method for streaming optimized video to a client device, the method comprising:
1[a]	receiving a request to optimize an original source file from a client device, the original source file stored on an origin server and the request including a key specifying parameters for optimizing the original source file and uniquely identifying the original source file;
1[b]	identifying, based on the key, a preview of an optimized version of the original source file in a local cache of a video optimization server, the preview corresponding to a first portion of the optimized version of the original source file;
1[c]	generating a query, based on the key, to a cache database maintaining a plurality of reference keys corresponding to a plurality of optimized versions of source files stored on a plurality of other video optimization servers, each reference key specifying parameters of an optimized version of a source file and uniquely identifying the source file;
1[d]	receiving, from the cache database, a response indicating whether the key matches a reference key maintained in the database;
1[e]	receiving from the cache database, in response to a reference key matching the key, the address of another video optimizer storing a segment of the optimized version of the original source file;
1[f]	stitching the first portion of the optimized version of the original source file with the segment of the optimized version of the original source file stored on the other video optimizer to generate a stitched optimized version of the original source file; and

Reference	Limitation
1[g]	streaming the stitched optimized version of the original source file for playback on the client device.
Claim 2	
2[a]	The method of claim 1, further comprising: storing a segment of the stitched optimized version of the original source file in the cache of the video optimizer; and
2[b]	transmitting, to the cache database, instructions for updating the cache database in response to storing the segment of the stitched optimized version of the original source file stored in the video optimizer
Claim 3	
3	The method of claim 1, wherein the received response indicates that different segments of the optimized version of the same original source file are stored on a plurality of different video optimizers.
Claim 4	
4[a]	The method of claim 3, further comprising: transmitting, to the plurality of different video optimizers, a request for the segment of the optimized version of the original source file stored on each video optimizer; and
4[b]	stitching the different segments of the optimized version of the same original source file with the generated segment of the original source file.
Claim 5	
5	The method of claim 1, wherein the key comprises a source content signature, the source content signature being a hash of the original source file.

Reference	Limitation
Claim 6	
6	The method of claim 1, wherein the cache database comprising data entries identifying a plurality of optimization server storing an optimized version of the original source file, the entries being modified through instructions transmitted to the cache database to update a location where the optimized version of the original source file is stored.
Claim 7	
7[pre]	The method of claim 1, further comprising:
7[a]	determining a second segment of the optimized version of the original source file is not stored by the plurality of other video optimization servers;
7[b]	responsive to the determination, transcoding the second segment of the original source file;
7[c]	storing the transcoded second segment in the local cache of the video optimization server; and
7[d]	stitching the transcoded second segment with the stitched optimized version of the original source file.
Claim 8	
8	The method of claim 7, further comprising transmitting to the cache database, instructions for updating the cache database with a reference key corresponding to the transcoded second segment of the optimized version of the source file stored at the video optimization server.

Reference	Limitation
Claim 9	
9[a]	The method of claim 7, wherein transcoding the second segment of the original source file comprises: identifying a third segment of the optimized version of the original source file, subsequent to the second segment, that is stored by one of the plurality of other video optimization servers; and
9[b]	transcoding the original source file from a start of the second segment to a start of the third segment.
Claim 10	
10	The method of claim 1, wherein the preview is maintained in the local cache of the video optimization server after one or more purges of the local cache.
Claim 11	
11[pre]	A system for streaming optimized video to a client device, comprising:
11[a]	at least one processor; and
11[b]	a non-transitory computer-readable storage medium storing executable computer program instructions that when executed by the processor, cause the processor to:
11[c]	receive a request to optimize an original source file from a client device, the original source file stored on an origin server and the request including a key specifying parameters for optimizing the original source file and uniquely identifying the original source file;
11[d]	identify, based on the key, a preview of an optimized version of the original source file in a local cache of a video optimization server, the preview corresponding to a first portion of the optimized version of the original source file;

Reference	Limitation
11[e]	generate a query, based on the key, to a cache database maintaining a plurality of reference keys corresponding to a plurality of optimized versions of source files stored on a plurality of other video optimization servers, each reference key specifying parameters of an optimized version of a source file and uniquely identifying the source file;
11[f]	receive, from the cache database, a response indicating whether the key matches a reference key maintained in the database;
11[g]	receive from the cache database, in response to a reference key matching the key, the address of another video optimizer storing a segment of the optimized version of the original source file;
11[h]	stitch the first portion of the optimized version of the original source file with the segment of the optimized version of the original source file stored on the other video optimizer to generate a stitched optimized version of the original source file; and
11[i]	stream the stitched optimized version of the original source file for playback on the client device.
Claim 12	
12[a]	The system of claim 11, wherein the storage medium further comprises instructions that when executed cause the processor to: store a segment of the stitched optimized version of the original source file in the cache of the video optimizer; and
12[b]	transmit, to the cache database, instructions for updating the cache database in response to storing the segment of the stitched optimized version of the original source file stored in the video optimizer.

Reference	Limitation
Claim 13	
13[pre]	The system of claim 11, wherein the received response indicates that different segments of the optimized version of the same original source file are stored on a plurality of different video optimizers, and wherein the storage medium further comprises instructions that when executed cause the processor to:
13[a]	transmit, to the plurality of different video optimizers, a request for the segment of the optimized version of the original source file stored on each video optimizer; and
13[b]	stitch the different segments of the optimized version of the same original source file with the generated segment of the original source file.
Claim 14	
14	The system of claim 11, wherein the key comprises a source content signature, the source content signature being a hash of the original source file.
Claim 15	
15	The system of claim 11, wherein the cache database comprises data entries to identify a plurality of optimization servers storing an optimized version of the original source file, the entries being modified through instructions transmitted to the cache database to update a location where the optimized version of the original source file is stored.
Claim 16	
16[pre]	The system of claim 11, wherein the storage medium further comprises instructions that when executed cause the processor to:
16[a]	determine a second segment of the optimized version of the original source file is not stored by the plurality of other video optimization servers;

Reference	Limitation
16[b]	transcode, responsive to the determination, the second segment of the original source file;
16[c]	store the transcoded second segment in the local cache of the video optimization server; and
16[d]	stitch the transcoded second segment with the stitched optimized version of the original source file.
Claim 17	
17	The system of claim 16, wherein the storage medium further comprises instructions that when executed cause the processor to transmit to the cache database, instructions for updating the cache database with a reference key corresponding to the transcoded
	second segment of the optimized version of the source file stored at the video optimization server.
Claim 18	
18[a]	The system of claim 16, wherein the instructions on the computer readable storage medium to transcode the second medium further comprises instructions that when executed cause the processor to: identify a third segment of the optimized version of the original source file, subsequent to the second segment, that is stored by one of the plurality of other video optimization servers; and
18[b]	transcode the original source file from a start of the second segment to a start of the third segment.
Claim 19	
19	The system of claim 11, wherein the preview is maintained in the local cache of the video optimization server after one or more purges of the local cache.

I. INTRODUCTION

Patent Owner Tir Technologies Limited (“Patent Owner”) submits this Preliminary Response to Meta Platforms, Inc.’s (“Petitioner” or “Meta”) Petition for *Inter Partes Review* of U.S. Patent No. 9,800,633 (Paper 1, “Pet.”). Patent Owner timely filed a Patent Owner’s Request for Discretionary Denial of Institution (Paper 7) on July 20, 2026. As discussed below and in Paper 7, this Petition, which relies on recycled prior art, should be denied on the merits as well as under 35 U.S.C. §§ 314(a) and 325(d).

II. THE INVENTIONS CLAIMED IN THE ’633 PATENT WERE COMMERCIALY SUCCESSFUL

The parent application for the ’633 patent was filed on July 18, 2013 and claims the benefit of a provisional application filed on July 18, 2012. Ex. 1001 at 1:8-11. At that time, the patent was assigned to Skyfire Labs, Inc. *See* Ex. 2006. Skyfire Labs, Inc. was acquired by Opera Software for \$155 million. Ex. 2007. A major product available from Skyfire Labs, Inc. was Rocket Optimizer, a platform incorporated into, *inter alia*, Verizon’s Content Management and Distribution System. *See* Ex. 2008, Order Granting-in-part Realtime’s Motion to Compel Non-Party Skyfire to Comply with a Subpoena, *Realtime Data LLC d/b/a IXO v. Metropcs Texas, LLC, et al.*, No. C 12-80130 LHK (PSG), 2012 WL 3727304 *3

(N.D.Cal. Aug. 28, 2012). The first named inventor of the '633 Patent, Erik Swenson, was the Chief Technology Officer at Skyfire Labs. *Id.*

The commercial success of the Rocket Optimizer platform is strong evidence of the non-obviousness of the claims of the '633 Patent. “In an obviousness inquiry, evidence of objective indicia of nonobviousness must be considered if present. Such evidence includes, for example, the commercial success of the patented invention.” *Chemours Co. FC, LLC v. Daikin Indus.*, 4 F.4th 1370, 1377 (Fed. Cir. 2021) (citing *Pentec, Inc. v. Graphic Controls Corp.*, 776 F.2d 309, 315 (Fed. Cir. 1985); *Graham v. John Deere Co.*, 383 U.S. 1, 17-18, 86 S. Ct. 684, 15 L. Ed. 2d 545 (1966)).

III. CLAIM CONSTRUCTION

As discussed in Paper 7, Meta did not propose its own constructions for claim terms in this *inter partes* review proceeding, stating that “[n]o express constructions are necessary;” Paper 1, Pet., at 6. However, in the District Court, Meta asserted that the claims require that a single request’s single key is used to identify at least two distinct pieces of optimized video stored in at least two distinct locations, and Meta predicated the motion to dismiss on the Court construing the claim limitations of “a request ... including a key” to mean a single request ... including a single key. The District Court applied Meta’s construction when the Court granted Meta’s motion and dismissed the case. *See* Exhibit 2001 (*Tir Technologies Limited v. Meta*

Platforms, Inc., No. 8:25-cv-02345-SVW-ADS, Order Granting Defendant’s Motion to Dismiss (C.D. Cal. June 25, 2026)) (“Dismissal”), at 5.

Meta correctly noted in the Petition that Patent Owner clarified that “a video optimizer” is a “video optimization server” in the related third-party litigation. Paper 1, Pet., at 7. That clarification is equally applicable in this *inter partes* review.

IV. GROUNDS FOR CHALLENGE AND APPLIED REFERENCES

Meta purportedly presents six grounds based on various combinations of U.S. Patent No. 6,289,358 (“Mattis”), Ex. 1005, U.S. Patent Application Publication No. 2010/0070608 (“Hosur”), Ex. 1006, U.S. Patent Application Publication No. 2009/0119322 (“Mills”), Ex. 1007, U.S. Patent Application Publication No. 2009/0310668 (“Sackstein”), Ex. 1008, and U.S. Patent No. 7,860,950 (“Menon”), Ex. 1009. *See* Paper 1, Pet., at 2-3 (identifying Grounds 1A, 1B, 2A, 2B, 3A and 3B). The reality, however, is that Meta presents a dozen grounds:

1. Mattis in view of Hosur;
2. Mattis in view of Hosur, further in combination with Sackstein;
3. Mattis in view of Hosur, further in combination with Menon;
4. Mattis in view of Hosur, further in combination with Sackstein and Menon;
5. Hosur in view of Mattis;
6. Hosur in view of Mattis, further in combination with Sackstein;
7. Hosur in view of Mattis, further in combination with Menon;

8. Hosur in view of Mattis, further in combination with Sackstein and Menon;
9. Mills in view of Mattis;
10. Mills in view of Mattis, further in combination with Sackstein;
11. Mills in view of Mattis, further in combination with Menon; and
12. Mills in view of Mattis, further in combination with Sackstein and Menon.

A. The Petition lacks particularity resulting in voluminous and excessive grounds that fail to meet the particularity requirements of 35 U.S.C. § 312(a)(3).

Grounds 1A, 1B, 2A, and 2B are based on combinations including Mattis and Hosur and Grounds 3A and 3B is based on combination including Mattis and Mills. Paper 1, Pet., at 3. Each of these six Mattis and other reference combinations is further complicated by the optional inclusion of Sackstein and/or Menon. *Id.* In fact, as noted above, the Petition presents twelve separate combinations, and that is without taking into account the twenty-three (23) additional alleged prior art references cited in the Petition and/or Dr. Rubin's declaration. *See* Exhibits 1010-1013 and 1015-1033.

A petition for inter partes review ("IPR") must identify "with particularity, each claim challenged, the grounds on which the challenge to each claim is based, and the evidence that supports the grounds for the challenge to each claim." 35 U.S.C. § 312(a)(3); *see also* 37 C.F.R. § 42.104(b) (specifying necessary elements of a petition).

“In an IPR, the petitioner has the burden from the onset to show with particularity why the patent it challenges is unpatentable.” *Harmonic Inc. v. Avid Tech., Inc.*, 815 F.3d 1356, 1363 (Fed. Cir. 2016) (emphasis added) (citing 35 U.S.C. § 312(a)(3)); *see also Intelligent Bio-Sys., 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.’” (quoting 35 U.S.C. § 312(a)(3))).

As the Board held in *Adaptics Ltd v Perfect Co.*, IPR2018-01596, Paper 20 (P.T.A.B. March 6, 2019) (Informative), a Petition that relies on multiple references and conjunctions (e.g., “with or without” and “and”) may suffer from a lack of the required particularity and indefinite scope. Such a Petition “fails to meet the particularity requirement of 35 U.S.C. § 312(a)(3) and that the lack of particularity results in voluminous and excessive grounds.” *Id.* at 24. Moreover, “in the interests of efficient administration of the Office and integrity of the patent system and as a matter of procedural fairness to Patent Owner, the entire petition should be denied under 35 USC § 314(a).” *Id.*

Meta’s Petition with its reliance on multiple references and conjunctions, is just such a Petition that fails to meet the particularity requirement of 35 U.S.C. § 312(a)(3) and that the lack of particularity results in voluminous and excessive

grounds. Accordingly, in the interests of efficient administration of the Office and integrity of the patent system and as a matter of procedural fairness to Patent Owner, the entire petition should be denied under 35 USC § 314(a).

B. The Petition does not establish a reasonable likelihood that Petitioner would prevail with respect to at least one of the claims.

As discussed below, a POSITA would not have been motivated to combine Mattis and the other references to achieve the inventions claimed in the '633 Patent without using the '633 Patent as a roadmap for impermissible hindsight reconstruction. None of Petitioner's cited references disclose all of the limitations of independent claims 1 and 11 and Petitioner's efforts to fill in the gaps are contradicted by the teachings of the references themselves.

And, because a dependent claim cannot be obvious if the independent claim from which it depends is not obvious, Petitioner is unlikely to prevail with respect to any of the dependent claims. *See, e.g., Comaper Corp. v. Antec, Inc.*, 596 F.3d 1343 (Fed. Cir. 2010). If an independent claim is nonobvious, then the dependent claim is also nonobvious. *In re Fine*, 837 F.2d 1071, 1076 (Fed. Cir. 1988) ("A claim that depends from a non-obvious independent claim is non-obvious because it contains all the limitations of the independent claim, plus a further limitation."). The Board does not need to consider "arguments that certain dependent claim limitations would have been obvious where the base claim has not been proven invalid."

SynQor, Inc. v. Artesyn Techs., Inc., 709 F.3d 1365, 1375 (Fed. Cir. 2013). *See also Zimmer Surgical, Inc. v Stryker Corp.*, 365 F.Supp. 3d 466, 487-488 (D. Del. 2019) (“As a dependent claim contains at least one more limitation than the independent claim upon which it depends, it cannot be invalid under § 102 . . . if the independent claim upon which it depends is not anticipated.”) (*citing CA, Inc. v. Simple.com, Inc.*, 780 F. Supp. 2d 196, 260 (E.D.N.Y. 2009), *Duhn Oil Tool, Inc. v. Cooper Cameron Corp.*, 2012 U.S. Dist. LEXIS 24088, 2012 WL 604138 (E.D. Cal. Feb. 23, 2012)).

C. Mattis – the reference used in every ground of the petition – does not disclose the claimed invention.

Petitioner concedes that the Mattis reference does not disclose every element of the challenged independent claims. For example, Mattis does not list video in its exemplary “multimedia objects” and therefore does not disclose a video optimization server or video optimizer. *See* Paper 1, Pet., 16 (citing Ex. 1005, Mattis, 1:37-39, 2:16-18, 5:30-41). Since Mattis does not disclose a video optimization server, it necessarily follows that Mattis does not disclose multiple video optimization servers or video optimizers. Indeed, Petitioner concedes that “Mattis does not store video in a ‘video-optimization server’ as claimed. Paper 1, Pet., 22.

It should also be noted that Mattis explicitly disparages the database approach suggested by Petitioner for claim limitations 1[c]/11[e]. *See* Paper 12, Pet. 23-26.

More specifically, Mattis teaches that:

The database system approach uses a database system as a cache.

Generally, databases are structured to achieve goals that make them inappropriate for use as an object cache. For example, they are structured to optimize transaction processing.

To preserve the integrity of each transaction, they use extensive locking. As a result, as a design goal they favor data integrity over performance factors such as speed. In contrast, it is acceptable for an object cache to lose data occasionally, provided that the cache does not corrupt objects, because the data always can be retrieved from the server that is original source of the data. Databases are often optimized for fast write performance, since write speed limits transaction processing speed. However, in an object cache, read speed is equally important. Further, databases are not naturally good at storing a vast variety of object sizes while supporting streaming, pipelined I/O in a virtual memory efficient manner. Databases commonly optimized for fixed record size sizes. Where databases support variable record sizes, they contain support for maintaining object relationships that are

redundant, and typically employ slow, virtual memory paging techniques to support streaming, pipelined I/O.

Ex. 1005, Mattis, 3:39-57. Petitioner also concedes that Mattis does not disclose storing and retrieving different portions of video from different video optimizers., *see* Paper 1, Pet., 29, chaining fragments of video from different video optimizers, *see id.*, 31, or streaming video for playback on client devices, *see id.*, 32.

These exemplary shortcomings of the Mattis reference demonstrate that Petitioner has not established a reasonable likelihood that the petitioner would prevail with respect to at least one of the claims in the petition based on the grounds including the Mattis reference.

D. Hosur –a reference used in grounds 1A, 1B, 2A, and 2B of the Petition – does not disclose the claimed invention.

Petitioner concedes that the Hosur reference does not disclose every element of the challenged independent claims. Although Petitioner contends that Hosur discloses/suggests the preambles and limitations 11[a] and 11[b] of the independent claims, Petitioner’s contentions with respect to the remaining limitations are limited to alleged teaching and suggestion. *See* Paper 1, Pet., 43-53.

Hosur does not teach or suggest a cache database as required for limitations 1[c]/11[e]. Petitioner’s assertion that the auxiliary files 40 disclosed in Hosur correspond to a cache database disregards Hosur’s disclosure that each auxiliary file

is associated with a single modified media file on a single transcoder and not to files on other servers. *See, e.g.*, Ex. 1006, Hosur, [0046]; Claims 1, 4-6, and 13-18. Petitioner's assertion also erroneously conflates a collection of media and auxiliary files with a database. Petitioner's contentions with respect to Hosur share a common infirmity in that they are generally premised on Hosur's disclosure of an auxiliary file associated with a single modified media file on a single transcoder. A POSITA would not have considered modifying Hosur to encompass multiple files on multiple transcoders without using the claims of the '633 Patent as a roadmap for impermissible hindsight reconstruction.

E. Mills –a reference used in grounds 3A and 3B of the petition – does not disclose the claimed invention.

Mills is prior art that was before the Patent Examiner during the prosecution of the '633 Patent. Consequently, Mills is identified as a cited reference in the '633 Patent. *See* Ex. 1001, **References Cited** U.S. PATENT DOCUMENTS.

Petitioner concedes that the Mills reference does not disclose every element of the challenged independent claims. For example, “Mills does not detail how those [video] parameters [in requests] are used to locate a specific version of a video.” Paper 1, Pet., 63. As Petitioner noted, “[a]lthough Mills uses parameters in a request to identify a specific version of a video to send to a client, Mills does not detail exactly how the parameters are used to do so.” *Id.*

Mills also does not disclose how searches are performed as required for limitations 1[c]/11[e]. *Id.*, 72 (citing Ex. 1007, Mills, [0033]) or how the request's parameters are used to search the stores as required for limitations 1[d]/11[f]. *Id.*, 73. Petitioner's contentions with respect to filling in the numerous gaps in Mills' disclosure by modifying Mills to incorporate the database from Mattis without any guidance within Mills is a clear example of using the claims of the '633 Patent as a roadmap for impermissible hindsight reconstruction.

F. Sackstein – an alternative reference used in every ground of the Petition – does not disclose the claimed invention.

Sackstein, like Mills, is prior art that was before the Patent Examiner during the prosecution of the '633 Patent. Consequently, Sackstein is also identified as a cited reference in the '633 Patent. *See* Ex. 1001, **References Cited** U.S. PATENT DOCUMENTS.

Petitioner relies on Sackstein for its purported disclosure of multiple transcoders and storage of portions of video in different caches. *See* Paper 1, Pet., 15. Notably, Petitioner does not address Sackstein's explicit teaching of "cache snooping" which would eliminate any need for a cache database. More specifically, Sackstein teaches:

[U]se of a distributed cache may involve the following enhancement: in addition to checking the local cache 240, the controller

260 may also issue requests for the segment to the caches of other or neighboring systems. This process may be called cache snooping. Typically, the access time to a segment found in a remote cache may be longer than the access time to a segment found in the local cache. Therefore, the request may first be issued to the remote cache, and only then to the local cache, such that an affirmative response from a remote cache, e.g., the found segment, would arrive in time so as not to delay transmission.

Ex. 1008, Sackstein [0047]. Sackstein's distributed segment storage architecture does not contemplate a centralized database lookup mechanism and a person of ordinary skill in the art would not be motivated to combine Sackstein with Mattis, Hosur, or Mills unless they were impermissibly using the claims of the '633 Patent as a roadmap for impermissible hindsight reconstruction.

G. A POSITA would not have been motivated to combine the asserted references without using the '633 Patent as a roadmap for impermissible hindsight reconstruction of the challenged claims.

As discussed above, the prior art references relied upon by Petitioner do not disclose all of the elements of the challenged independent claims, and a POSITA would not have been motivated to combine the references to achieve the claimed invention without impermissible hindsight reconstruction using the claims of the '633 Patent as a roadmap.

Petitioner's fifth reference, Exhibit 1009, U.S. 7,860,950 ("Menon"), does not alter this analysis. Petitioner relies on Menon with respect to an interpretation of the claim term "preview" as a low-resolution preview that neither Petitioner nor Patent Owner have urged. Moreover, Menon does not cure the deficiencies with respect to the other references and combinations argued by Petitioner.

V. CONCLUSION

For all of the reasons set forth above and in Paper 7, the Director should exercise discretion to deny institution. The Petition is defective for other reasons as well, but a full discussion of the merits is not required in the Patent Owner's Preliminary Response. On this record, efficiency, fairness, and integrity of the patent system are best served by discretionary denial under 35 U.S.C. § 314(a) and/or 35 U.S.C. § 325(d).

Date: August 19, 2026

Respectfully submitted,

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CERTIFICATION REGARDING WORD COUNT

Pursuant to 37 C.F.R. § 42.24(b)(1), Patent Owner certifies that there are no more than 2,840 words in the paper, excluding the portions exempted under 37 C.F.R. § 42.24(a)(1).

Dated: August 19, 2026

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))

The undersigned hereby certifies that the above document was served on August 19, 2026, by filing this document through the Patent Trial and Appeal Case Tracking System as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioner:

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