

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DOLBY LABORATORIES, INC.,
Petitioner

v.

INTERTRUST TECHNOLOGIES CORPORATION,
Patent Owner

Case IPR2020-00660
Patent 6,785,815

**DECLARATION OF JONATHAN BRADFORD IN SUPPORT OF
PETITIONER'S REPLY TO PATENT OWNER'S PRELIMINARY
RESPONSE ADDRESSING APPLICABILITY OF § 314(a)**

I, Jonathan Bradford, make the following declaration pursuant to 28 U.S.C.

§1746:

1. I am a Senior IP Paralegal at the law firm of Ropes & Gray LLP.
2. I provide this Declaration in connection with the above-identified

Inter Partes Review proceeding that is before the United States Patent and

Trademark Office (“USPTO”). Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

3. Exhibit 1020 is a true and correct copy of *Intertrust Techs. Corp. v. Cinemark Holdings, Inc.*, Case 2:19-cv-00266-JRG, Dkt. 45, Intertrust’s Brief in Opposition to Defendants’ Motion to Transfer Venue to the Northern District of California (January 6, 2020). This document was downloaded at my direction from the United States Court’s Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

4. Exhibit 1021 is a true and correct copy of Intertrust (Tom Carroux) Email to Dolby (Heath Hoglund) dated October 10, 2018. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

5. Exhibit 1022 is a true and correct copy of *Dolby Labs, Inc. v. Intertrust Techs. Corp.*, Case 5:19-cv-03371-NC , Dkt. 1, Complaint for Declaratory Judgment of Non-Infringement (June 13, 2019). This document was downloaded at my direction from the United States Court’s Public Access to Court Electronic Records (PACER) system. This document has been marked

with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

6. Exhibit 1023 is a true and correct copy of *Intertrust Techs. Corp. v. Cinemark Holdings, Inc.*, Case 2:19-cv-00266-JRG, Dkt. 1, Complaint for Patent Infringement (August 7, 2019). This document was downloaded at my direction from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

7. Exhibit 1024 is a true and correct copy of *Intertrust Techs. Corp. v. AMC Entm't Holdings, Inc.*, Case 2:19-cv-00265-JRG, Dkt. 1, Complaint for Patent Infringement (August 7, 2019). This document was downloaded at my direction from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

8. Exhibit 1025 is a true and correct copy of *Intertrust Techs. Corp. v. Regal Entm't Grp.*, Case 2:19-cv-00267-JRG, Dkt. 1, Complaint for Patent Infringement (August 7, 2019). This document was downloaded at my direction

from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

9. Exhibit 1026 is a true and correct copy of *Dolby Labs, Inc. v. Intertrust Techs. Corp.*, Case 3:19-cv-03371-EMC, Dkt. 25, Intertrust Technologies Corporation's Motion to Dismiss the Complaint for Lack of Subject Matter Jurisdiction and Failure to State a Claim (August 9, 2019). This document was downloaded at my direction from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

10. Exhibit 1027 is a true and correct copy of *Dolby Labs, Inc. v. Intertrust Techs. Corp.*, Case 3:19-cv-03371-EMC, Dkt. 41, Redacted Version of Intertrust Technologies Corporation's Motion to Dismiss Dolby's First Amended Complaint for Lack of Subject Matter Jurisdiction and Failure to State a Claim and Memorandum of Points and Authorities (September 9, 2019). This document was downloaded at my direction from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been

marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

11. Exhibit 1028 is a true and correct copy of *Dolby Labs, Inc. v. Intertrust Techs. Corp.*, Case 3:19-cv-03371-EMC, Dkt. 56, Redacted/Public Version, Order Granting In Part and Denying In Part Defendant's Motion to Dismiss (November 6, 2019). This document was downloaded at my direction from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

12. Exhibit 1029 is a true and correct copy of *Dolby Labs, Inc. v. Intertrust Techs. Corp.*, Case 3:19-cv-03371-EMC, Dkt. 63, Defendant Intertrust Technologies Corporation's Answer, Affirmative Defenses, and Counterclaims in Response to Dolby Laboratories, Inc.'s Second Amended Complaint (December 11, 2019). This document was downloaded at my direction from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

13. Exhibit 1030 is a true and correct copy of the Redacted Version of Intertrust's Disclosure of Asserted Claims & Infringement Contentions Pursuant to Patent Local Rules 3-1 & 3-2 (February 27, 2020) in *Dolby Labs, Inc. v. Intertrust Techs. Corp.*, Case 3:19-cv-03371-EMC. This document was served by Intertrust on Dolby. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

14. Exhibit 1031 is a true and correct copy of *Robert Bosch Healthcare Sys, Inc. v. Cardiocom, LLC*, Case No. C-14-1575 EMC, Order Granting Defendant's Motion to Stay Pending *Inter Partes* Review and Reexamination of Patents-In-Suit (July 3, 2014). This document was downloaded at my direction from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

15. Exhibit 1032 is a true and correct copy of *Capella Photonics, Inc. v. Cisco Sys, Inc.*, Case No. C-14-3348 EMC, Order Granting Cisco's Motion to Stay Consolidated Cases Pending *Inter Partes* Review of Patents-In-Suit (March 6, 2015). This document was downloaded at my direction from the United States

Court's Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

16. Exhibit 1033 is a true and correct copy of *Capella Photonics, Inc. v. Cisco Sys, Inc.*, Case No. C-14-3348 EMC, Order Denying Defendant Cisco's Motion to Stay Pending Initial Determinations by the Patent Office (October 14, 2014). This document was downloaded at my direction from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

17. Exhibit 1034 is a true and correct copy of *Riverbed Technology v. Realtime Data*, Case No.: C17-03182 EMC, Civil Minutes (January 25, 2018). This document was downloaded at my direction from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

18. Exhibit 1035 is a true and correct copy of *Dolby Labs, Inc. v. Intertrust Techs. Corp.*, Case 3:19-cv-03371-EMC, Dkt. 73, Case Management and Pretrial Order for Claims Construction (February 13, 2020). This document was downloaded at my direction from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

19. Exhibit 1036 is a true and correct copy of *Dolby Labs, Inc. v. Intertrust Techs. Corp.*, Case 3:19-cv-03371-EMC, Dkt. 72, Civil Minutes (February 13, 2020). This document was downloaded at my direction from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

20. Exhibit 1037 is a true and correct copy of *Dolby Labs, Inc. v. Intertrust Techs. Corp.*, Case 3:19-cv-03371-EMC, Dkt. 71, Joint Case Management Conference Statement (February 6, 2020). This document was downloaded at my direction from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been marked

with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

21. Exhibit 1038 is a true and correct copy of *Intertrust Techs. Corp. v. Cinemark Holdings, Inc.*, Case 2:19-cv-00266-JRG, Dkt. 104-2, Exhibit B –Joint Claim Construction Chart - Agreed Terms and Constructions (June 1, 2020).

This document was downloaded at my direction from the United States Court’s Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

22. Exhibit 1039 is a true and correct copy of *Intertrust Techs. Corp. v. Cinemark Holdings, Inc.*, Case 2:19-cv-00266-JRG, Subpoena to Dolby Laboratories, Inc., to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (February 21, 2020). This subpoena was served by Intertrust on Dolby. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

23. Exhibit 1040 is a true and correct copy of *Dolby Labs, Inc. v. Intertrust Techs. Corp.*, Case 3:19-cv-03371-EMC, Dkt. 90-1, Exhibit A, Intertrust Technologies Corporation’s Preliminary Damages Disclosure (July 24,

2020). This document was downloaded at my direction from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

24. Exhibit 1041 is a true and correct copy of Intertrust's P.R. 3-1 Disclosures: Exhibit 11 (November 6, 2019). This document was served by Intertrust on Cinemark on November 6, 2019, as part of Intertrust Infringement Contentions in *Intertrust Techs. Corp. v. Cinemark Holdings, Inc.*, Case 2:19-cv-00266-JRG, . This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

25. Exhibit 1042 is a true and correct copy of *Aylus Networks, Inc. v. Apple Inc.* Case No. C-13-4700 EMC, Order Granting In Part and Denying In Part Defendant's Motion for Leave to Amend Its Invalidity Contentions; and Denying Defendant's Motion to Stay (June 2, 2015). This document was downloaded at my direction from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been marked

with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

26. Exhibit 1043 is a true and correct copy of *Dolby Labs, Inc. v. Intertrust Techs. Corp.*, Case 3:19-cv-03371-EMC, Dkt. 98, Order (August 5, 2020). This document was downloaded at my direction from the United States Court's Public Access to Court Electronic Records (PACER) system. This document has been marked with an exhibit label and page numbers on each page. However, no alterations, other than these noted markings, have been made to this document.

27. Certain pages have been resized to 8.5 x 11 inches. No content was removed by this resizing.

28. Each of the remaining exhibits, with the exception of any exhibit that has been reserved or addressed in the foregoing paragraphs, has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to each exhibit.

29. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or

both, under 18 U.S.C. § 1001. If called to testify as to the truth of the matters stated herein, I could and would testify competently.

30. I declare under penalty of perjury that the foregoing is true and correct. Executed this 6th day of August, 2020, in Boston, Massachusetts.

By: /Jonathan Bradford/
Name: Jonathan Bradford
ROPES & GRAY LLP