

From: [Michael Matulewicz-Crowley](#)
To: [Trials](#)
Cc: [RJ_VideoLabs-Netflix](#); [McCombs, David L.](#); [Bowser, Jonathan](#); [roshan@unifiedpatents.com](#); [Bajaj, Raghav](#); [jessica@unifiedpatents.com](#)
Subject: IPR2022-01086: Unified Patents, LLC v. VL Collective
Date: Thursday, February 22, 2024 6:29:09 PM

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Your Honors,

Resending the below email because two of Unified's counsel were inadvertently not copied on the previous email.

Best,
Michael
Michael Matulewicz-Crowley
REICHMAN JORGENSEN LEHMAN & FELDBERG LLP
400 Madison Avenue, Suite 14D
New York, NY 10017
(332) 208-7170

From: Michael Matulewicz-Crowley <mmatulewicz-crowley@reichmanjorgensen.com>
Sent: Thursday, February 22, 2024 6:17 PM
To: [Trials@USPTO.GOV](#)
Cc: [RJ_VideoLabs-Netflix](#) <RJ_VideoLabs-Netflix@reichmanjorgensen.com>; [McCombs, David L.](#) <David.McCombs@haynesboone.com>; [Bowser, Jonathan](#) <Jonathan.Bowser@haynesboone.com>; [roshan@unifiedpatents.com](#)
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Your Honors,

As reflected in the Patent Owner's Mandatory Notices (Paper 35), the '794 patent is also at-issue in the following proceeding: *Netflix, Inc. v. VL Collective, LLC*, IPR2023-00891 ('891 IPR). A Final Written Decision (FWD) was issued in IPR2022-01086 ('086 IPR) that addressed claims 1, 3, 5, 9, 12, 13, 15, 20, and 21.

Patent Owner intends to show that Netflix is a real party in-interest (RPI) in the '086 IPR and therefore should be estopped from maintaining the '891 IPR for at least the claims addressed in the final written decision in the '086 IPR. Patent Owner seeks authorization from the Board to move to request additional discovery from Unified regarding Netflix's involvement in the '086 IPR. 35 U.S.C. § 315(e)(1); 37 CFR 42.51(b)(2).

Netflix has previously produced evidence demonstrating that Netflix is an active member of Unified Patents in *Netflix Inc. et al. v. Divx LLC*, IPR2020-00052, EX2033, (May 14, 2020) and as such Netflix is

a clear beneficiary that has a preexisting relationship with Unified. The discovery being requested is likely to yield additional evidence corroborating the relationship between Netflix and Unified.

Petitioner's Position

Unified opposes Patent Owner's request for authorization to file a motion for additional discovery in IPR2022-01086. The final written decision in IPR2022-01086 has issued and additional discovery in IPR2022-01086 is not useful or in the interests of justice.

If a conference call is necessary, counsel for Unified Patents and VL Collective are available at the following times for a conference call with the Board:

- February 26 from 9 AM to 5 PM Eastern;
- February 27 from 9 AM to 12 PM Eastern;
- February 29 from 9 AM to 5 PM Eastern.

Best,

Michael

Michael Matulewicz-Crowley

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