**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:18-cv-00927-MJW

REALTIME ADAPTIVE STREAMING LLC,

        Plaintiff,

v.

WOWZA MEDIA SYSTEMS, LLC

        Defendant.

**WOWZA'S ANSWER TO REALTIME ADAPTIVE STREAMING'S
COMPLAINT FOR PATENT INFRINGEMENT**

Defendant Wowza Media Systems, LLC answers Realtime Adaptive Streaming, LLC's

Complaint (Dkt. No. 1) as follows. Wowza denies that it has infringed any claims of U.S. Patent

Nos. 7,386,046, 8,934,535, 9,769,477, 8,634,462, and 9,578,298 (the "patents-in-suit") and further

denies that the patents-in-suit are valid. In addition, Wowza denies that Realtime is entitled to any

relief whatsoever and denies any and all allegations not specifically and expressly admitted in this

Answer.

PARTIES[1]

1.   Wowza lacks sufficient information to form a belief as to the truth or falsity of the

allegations in paragraph 1 of the Complaint and, on that basis, denies them.

2.   Wowza admits that it is a Delaware limited liability company with its principal place

of business in Golden, Colorado. Wowza also admits that it maintains its headquarters at 523 Park

Point Drive, Suite 300, Golden, Colorado 80401. Wowza admits that it offers products and/or

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[1] To the extent Realtime intends the headings in its Complaint to constitute allegations, Wowza denies them. The headings in Wowza's Answer do not constitute responses to them.

services to customers and potential customers located in Colorado and in this District. And Wowza admits that its agent, Elliot Foster Jordan Miller, may be served with process at 523 Park Point Drive, Suite 300, Golden, Colorado 80401. Wowza denies the remaining allegations in paragraph 2 of the Complaint.

JURISDICTION AND VENUE

3.   Wowza admits that Realtime purports to allege an action for patent infringement arising under the patent laws of the United States and that this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4.   Wowza admits that this Court has personal jurisdiction over it. Wowza denies the remaining allegations in paragraph 4 of the Complaint.

5.   Wowza admits that venue is proper in this district under 28 U.S.C. § 1400(b). Wowza further admits that it is registered to do business in Colorado and has transacted business in the District of Colorado. Wowza denies the remaining allegations in paragraph 5 of the Complaint.

THE PATENTS-IN-SUIT

6.   Wowza admits that Realtime alleges causes of action arising under 35 U.S.C. § 271 but denies that it has committed any acts of patent infringement. Wowza denies the remaining allegations in paragraph 6 of the Complaint.

7.   Wowza admits that the document attached to the Complaint as Exhibit A purports to be a copy of U.S. Patent No. 7,386,046 (the '046 Patent) and admits that Exhibit A bears on its face an issue date of June 10, 2008, and the title "Bandwidth Sensitive Data Compression and Decompression." Wowza lacks sufficient information to form a belief as to the truth or falsity of the remaining allegations contained in paragraph 7 of the Complaint and, therefore, denies them.

8.   Wowza admits that the document attached to the Complaint as Exhibit B purports to be a copy of U.S. Patent No. 8,934,535 (the '535 Patent) and admits that Exhibit B bears on its

face an issue date of January 13, 2015, and the title "Systems and Methods for Video and Audio Data Storage and Distribution." Wowza lacks sufficient information to form a belief as to the truth or falsity of the remaining allegations contained in paragraph 8 of the Complaint and, therefore, denies them.

9.   Wowza admits that the document attached to the Complaint as Exhibit C purports to be a copy of U.S. Patent No. 9,769,477 (the '477 Patent) and admits that Exhibit C bears on its face an issue date of September 19, 2017, and the title "Video Data Compression Systems." Wowza lacks sufficient information to form a belief as to the truth or falsity of the remaining allegations contained in paragraph 9 of the Complaint and, therefore, denies them.

10.   Wowza admits that the document attached to the Complaint as Exhibit D purports to be a copy of U.S. Patent No. 8,634,462 (the '462 Patent) and admits that Exhibit D bears on its face an issue date of January 21, 2014, and the title "Quantization for Hybrid Video Coding." Wowza lacks sufficient information to form a belief as to the truth or falsity of the remaining allegations contained in paragraph 10 of the Complaint and, therefore, denies them.

11.   Wowza admits that the document attached to the Complaint as Exhibit E purports to be a copy of U.S. Patent No. 9,578,298 (the '298 Patent) and admits that Exhibit E bears on its face an issue date of February 21, 2017, and the title "Method for Decoding 2D-Compatible Stereoscopic Video Flows." Wowza lacks sufficient information to form a belief as to the truth or falsity of the remaining allegations contained in paragraph 11 of the Complaint and, therefore, denies them.

COUNT 1: INFRINGEMENT OF U.S. PATENT NO. 7,386,046

12.   Wowza incorporates and restates its responses to the allegations set forth in paragraphs 1 through 11 of the Complaint.

13.   Wowza denies the allegations in paragraph 13 of the Complaint.

14.   Wowza denies the allegations in paragraph 14 of the Complaint.

15.   Wowza admits that a page on its website available at

https://www.wowza.com/docs/understanding-streaming-protocols-and-output-file-formats states,

"A single Wowza Streaming Engine application can be configured to deliver a stream to Adobe

Flash Player; Microsoft Silverlight; Apple iPhone, iPad, or iPod touch devices; DASH players, and

RTSP/RTP-based players at the same time using the streaming protocols that are described in this

section." Wowza further admits that a page on its website available at

https://www.wowza.com/docs/understanding-streaming-protocols-and-output-file-formats states,

"Wowza Streaming Engine can stream adaptive bitrate live and VOD H.264, AAC, and MP3

content to iOS-based devices (iPhone/iPad/iPod touch iOS version 3.0 or later), QuickTime player

(version 10 or later), Safari browser (version 4.0 or later), and other devices such as the Roku and

Amino set-top boxes and some brands of smart TVs using the Apple HTTP Live Streaming (Apple

HLS) protocol." Wowza further admits that a webpage available at

https://developer.Apple.com/library/content/documentation/NetworkingInternet/Conceptual/St

reamingMediaGuide/FrequentlyAskedQuestions/FrequentlyAskedQuestions.html states, "The

protocol specification does not limit the encoder selection. However, the current Apple

implementation should interoperate with encoders that produce MPEG-2 Transport Streams

containing H.264 video and AAC audio (HE-AAC or AAC-LC)." Wowza also admits that a website

available at

https://developer.Apple.com/library/content/documentation/NetworkingInternet/Conceptual/St

reamingMediaGuide/UsingHTTPLiveStreaming/UsingHTTPLiveStreaming.html states, "HTTP

Live Streaming supports switching between streams dynamically if the available bandwidth changes.

The client software uses heuristics to determine appropriate times to switch between the alternates.

Currently, these heuristics are based on recent trends in measured network throughput." Wowza

further admits that a website available at

https://developer.Apple.com/library/content/documentation/NetworkingInternet/Conceptual/St

reamingMediaGuide/FrequentlyAskedQuestions/FrequentlyAskedQuestions.html states, "The

current implementation of the client observes the effective bandwidth while playing a stream. If a

higher-quality stream is available and the bandwidth appears sufficient to support it, the client

switches to a higher quality. If a lower-quality stream is available and the current bandwidth appears

insufficient to support the current stream, the client switches to a lower quality." Wowza denies the

remaining allegations in paragraph 25 of the Complaint.

16.   Wowza admits that some of its products reference H.264 compression. Wowza

denies the allegations in paragraph 16 of the Complaint.

17.   Wowza admits that a page on its website available at

https://www.wowza.com/docs/wowza-transcoder states, "Multiple outbound renditions with

aligned keyframes can be created from the single input stream. As a transrating solution, it can ingest

an H.264 video and AAC/MP3 audio source stream and create a full set of output renditions that

are keyframe-aligned to the original source. The aligned keyframes in the encoded output renditions

enable adaptive bitrate delivery from the Wowza media server over Adobe HDS, Apple HLS,

Microsoft Smooth Streaming, MPEG-DASH, and RTMP streaming protocols to multiple devices."

Wowza denies the remaining allegations in paragraph 17 of the Complaint.

18.   Wowza admits that a webpage available at

https://en.wikipedia.org/wiki/Group_of_pictures states, "The GOP is a collection of successive

pictures within a coded video stream." Wowza admits that some of its products reference H.264

compression. Wowza denies the remaining allegations in paragraph 18 of the Complaint.

19.   Wowza denies the allegations in paragraph 19 of the Complaint.

20.   Wowza denies the allegations in paragraph 20 of the Complaint.

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