

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

ROBOCAST, INC., a Delaware corporation

Plaintiff,

v.

YOUTUBE, LLC, a Delaware limited liability company; and GOOGLE LLC, a Delaware limited liability company,

Defendants.

C.A. No. 1:22-cv-00304-RGA-JLH

JURY TRIAL DEMANDED

ROBOCAST, INC., a Delaware corporation

Plaintiff and Counterclaim Defendant,

v.

NETFLIX, INC., a Delaware limited liability company

Defendant and Counterclaim Plaintiff.

C.A. No. 1:22-cv-00305-RGA-JLH

JOINT CLAIM CONSTRUCTION CHART

Pursuant to Paragraph 6 of the Scheduling Order (D.I. 53) in C.A. No. 1:22-cv-00304 and Paragraph 6 of the Scheduling Order (D.I. 47) in C.A. No. 1:22-cv-00305, Plaintiff Robocast, Inc. and Defendants YouTube, LLC, Google LLC, and Netflix, Inc. (collectively, “Defendants”) hereby submit this Joint Claim Construction Chart for claim terms/phrases in U.S. Patent Nos. 7,155,451 (the “451 Patent”), 8,606,819 (the “819 Patent”), and 8,965,932 (the “932 Patent”).

The parties have agreed to the following constructions:¹

¹ Any joint proposed constructions are subject to the construction of other claim terms disputed by the parties.

Claim Term	Joint Proposed Construction
on-line search/online search	an internet search
multidimensional show structure of nodes	show structure of nodes, in which the nodes are presented concurrently for at least some portion of the show
at least two of said nodes are spanned concurrently	nodes are accessed such that the content corresponding to at least two nodes is accessed at the same time

The disputed terms and proposed constructions are identified in the chart below, along with an identification of intrinsic evidence in support of the parties' constructions, and the parties' positions regarding why resolution of the dispute makes a difference. The parties expressly reserve the right to cite and rely upon evidence cited by one another. The following Exhibits are attached:

Exhibit A: U.S. Patent No. 7,155,451

Exhibit B: U.S. Patent No. 8,606,819

Exhibit C: U.S. Patent No. 8,965,932

Plaintiff Robocast's Additional Exhibits:

Exhibit D: Prosecution history (09/144,906): Robocast PTO Appeal Brief (ROBOCAST021377-ROBOCAST021425).

Exhibit E: Prosecution history (09/144,906): Response to Oct. 24, 2000 Final Office Action (ROBOCAST021104-ROBOCAST021126).

Exhibit F: Prosecution history (09/144,906): Response to Dec. 23, 1999 Office Action (ROBOCAST021078-ROBOCAST021087).

Exhibit G: Prosecution history (09/144,906): Response to Jun. 18, 2001 Office Action (ROBOCAST021158-ROBOCAST021172).

Exhibit H: Denial of Institution in IPR2022-01125 (ROBOCAST021802-ROBOCAST021837).

Exhibit I: Denial of Institution in IPR2023-00081 (ROBOCAST021838-ROBOCAST021904).

Exhibit J: Denial of Institution in IPR2023-00182 (ROBOCAST021905-ROBOCAST021947).

Defendants' Additional Exhibits:

Exhibit K: 60/025,360 U.S. Provisional Application

Exhibit L: *Netflix, Inc. v. Robocast, Inc.*, IPR2023-00081 ('451 Patent), Patent Owner
Preliminary Response

Exhibit M: *Netflix, Inc. v. Robocast, Inc.*, IPR2023-00182 ('819 Patent), Patent Owner
Preliminary Response

Exhibit N: *Google, LLC v. Robocast, Inc.*, IPR2023-00590 ('451 Patent), Patent Owner
Preliminary Response

Exhibit O: *Google, LLC v. Robocast, Inc.*, IPR2023-00591 ('451 Patent), Patent Owner
Preliminary Response

Exhibit P: *Google, LLC v. Robocast, Inc.*, IPR2023-00592 ('932 Patent), Patent Owner
Preliminary Response

Exhibit Q: *Google, LLC v. Robocast, Inc.*, IPR2023-00593 ('932 Patent), Patent Owner
Preliminary Response

Exhibit R: *Google, LLC v. Robocast, Inc.*, IPR2023-00594 ('819 Patent), Patent Owner
Preliminary Response

Exhibit S: *Unified Patents, LLC v. Robocast, Inc.*, IPR2022-01125 ('932 Patent), Patent Owner
Preliminary Response

Exhibit T: File history of the '451 Patent: January 3, 2002 Applicant's Amendments and
Remarks

Exhibit U: File history of the '451 Patent,: April 27, 2001 Applicant's Amendments and
Remarks

Exhibit V: File history of the '451 Patent: June 23, 2000 Applicant's Amendments and Remarks

Exhibit W: File history of the '451 Patent: February 7, 2002 Office Action

Exhibit X: File history of U.S. Patent Application 08/922,063: November 12, 1999 Declaration
Under 37 C.F.R. § 1.131 and Attached Exhibit A

Exhibit Y: File history of U.S. Patent Application 08/922,063: March 27, 2000 Office Action

Exhibit Z: File history of U.S. Patent Application 08/922,063: October 16, 2000 Applicant's
Amendments and Remarks

Exhibit AA: File history of the '819 Patent: September 13, 2012 Office Action

Exhibit BB: File history of the '819 Patent: December 13, 2012 Applicant's Amendments and
Remarks

Exhibit CC: File history of the '819 Patent, including: January 29, 2013 Office Action

Exhibit DD: File history of the '819 Patent, including: April 29, 2013 Applicant's Amendments
and Remarks

Exhibit EE: File history of the '932 Patent: October 20, 2009 Office Action

Exhibit FF: File history of the '932 Patent: Aug. 12, 2010 Examiner Interview Summary

Exhibit GG: File history of the '932 Patent: November 19, 2010 Applicant's Amendments and Remarks

Exhibit HH: File history of the '932 Patent: May 6, 2011 Applicant's Amendments and Remarks

Exhibit II: File history of the '932 Patent: October 12, 2012 Office Action

Exhibit JJ: File history of the '932 Patent: April 12, 2013 Applicant's Amendments and Remarks

Exhibit KK: File history of the '932 Patent: July 18, 2013 Office Action

Exhibit LL: File history of the '932 Patent: Oct. 30, 2013 Applicant's Amendments and Remarks

Exhibit MM: File history of the '451 Patent: March 10, 2003 Appeal Brief

Exhibit NN: *Google, LLC v. Robocast, Inc.*, IPR2023-00590 ('451 Patent), Patent Owner's Preliminary Sur-Reply

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Term No.	Claim Term	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Evidence Citations ²	Defendants' Proposed Construction	Defendants' Intrinsic Evidence Citations
1	node '451 Patent, Claims 1, 22, 37, 39 '819 Patent, Claims 1, 4, 16, 22, 23, 26 '932 Patent, Claims 1, 4, 7, 22, 33, 46 ³	an identifier of a resource that includes an address to the resource and the duration for which the resource's content is to be presented by default	Claims in which term appears (listed to the left) '451 Patent at Abstract, FIGS. 2B-2F, 2:57-3:6, 3:22-38, 6:65-7:4; 7:16-20, 7:23-27, 7:33-36, 7:51-65, 11:4-12, 15:41-45. Ex. H: Denial of Institution in IPR2022-01125 (ROBOCAST021802–ROBOCAST021837). For example p. 14 (ROBOCAST021815). Ex. J: Denial of Institution in IPR2023-00182 (ROBOCAST021905–ROBOCAST021947). For example pp. 14–16 (ROBOCAST021918–ROBOCAST021920).	an identifier of a resource that includes, <u>within the node</u> , an address to the resource and the duration for which the resource's content is to be presented by default ⁴	Claims: '451 Patent, Claim 1-3, 10, 22-29, 37-38, 39, 41-42 '819 Patent, Claim 1, 4, 6, 11, 13, 16, 22, 23-24, 26-27 '932 Patent, Claim 1, 3-9, 11-13, 19-21, 22, 25, 27, 29-31, 33-35, 43-45, 46, 48, 54-56, 63, 65 Specification: '451 Patent at, e.g., Abstract, 2:30-4:3; 6:65-10:48, 11:8-12, 15:1-16:3, 16:34-43, Figs. 2A, 2F, 3-5, 6, 6A, 7

² The '819 Patent and '932 Patent are continuations of the '451 Patent. While the specifications for the three patents are nearly identical, their pagination, including column and line numbers, are not. Because the specifications are nearly identical, the parties' intrinsic evidence citations identify citations to only the '451 Patent, except for circumstances where the patents differ (e.g., "Related U.S. Applications" claims).

³ Per Defendants: (also '451 Patent, Claims 2-3, 23-29, 38, 41-42; '819 Patent, Claims 11, 13, 24, 27; and '932 Patent, Claims 1, 4, 7, 22, 33, 46)

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