Consolidated Hearing for *Inter Partes* Review

Case No. IPR2013-00593
(Patent 8,045,952)
Case No. IPR2013-00594
(Patent 8,050,652)
Case No. IPR2013-00597
(Patent 8,230,099)
Case No. IPR2013-00598
(Patent 8,214,873)

October 20, 2014

Qureshey Patents

IPR 2013-00593

(12) **United States Patent**
Qureshey et al.

(10) **Patent No.: US 8,045,952 B2**
(45) **Date of Patent: *Oct. 25, 2011**

(54) **METHOD AND DEVICE FOR OBTAINING PLAYLIST CONTENT OVER A NETWORK**

(75) Inventors: **Safi Qureshey**, Santa Ana, CA (US); **Daniel D. Sheppard**, Brea, CA (US)

(73) Assignee: **Horsham Enterprises, LLC**, Wilmington, DE (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 1292 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **11/563,227**

(22) Filed: **Nov. 27, 2006**

(65) **Prior Publication Data**

US 2007/0089135 A1 Apr. 19, 2007

Related U.S. Application Data

(63) Continuation of application No. 09/805,470, filed on Mar. 12, 2001, now abandoned, which is a continuation-in-part of application No. 09/096,703, filed on Jun. 12, 1998, now abandoned.

(60) Provisional application No. 60/246,842, filed on Nov. 8, 2000, provisional application No. 60/072,127, filed on Jan. 22, 1998.

(51) **Int. Cl.**

H04B 1/06	(2006.01)
H05K 11/00	(2006.01)
G06F 15/16	(2006.01)
H04N 5/445	(2006.01)

(52) **U.S. Cl.** ... **455/344**; 455/3.02; 455/3.06; 455/414.3; 709/219; 725/45

(58) **Field of Classification Search** 455/344, 455/185.1, 186.1, 188.1, 3.02, 3.06, 142, 455/414.1, 414.3, 66.1, 556.1, 557, 558; 709/217, 219; 725/39, 45, 18

See application file for complete search history.

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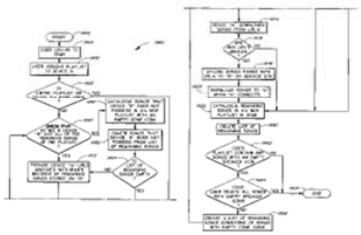
(Continued)

Primary Examiner — Pablo Tran
(74) *Attorney, Agent, or Firm* — Withrow & Terranova, PLLC

(57) **ABSTRACT**

A network-enabled audio device that provides a display device that allows the user to select playlists of music much like a jukebox is disclosed. The user can compose playlists from disk files, CD's, Internet streaming audio broadcasts, online music sites, and other audio sources. The user can also select a desired Web broadcast from a list of available Web broadcasts. In addition, the user can play standard audio CD's and MP3 encoded CD's and have access to local AM/FM stations. Further, the software, the user controls, and the display in the network-enabled audio device are operably configured and connected such that the user can listen to playlists that include CD's and other audio sources just as the user would choose a playlist in a jukebox. The user accesses a server site via a PC and the Internet. From the server site, the user obtains a list of the devices in his or her Internet Personal Audio Network (IPAN) and what songs are on those devices. The IPAN includes an IPAN server, an IPAN client, and IPAN software stored on the network-enabled audio device. Thus, the network-enabled audio device provides people who are or are not comfortable with computers a way of taking music from various sources and putting it into one place for listening pleasure. In one embodiment, the Personal Computer (PC) is used to compose the playlists, but the user is able to listen to playlists and other audio sources without using the PC.

26 Claims, 49 Drawing Sheets



IPR 2013-00594

(12) **United States Patent**
Qureshey et al.

(10) **Patent No.: US 8,050,652 B2**
(45) **Date of Patent: *Nov. 1, 2011**

(54) **METHOD AND DEVICE FOR AN INTERNET RADIO CAPABLE OF OBTAINING PLAYLIST CONTENT FROM A CONTENT SERVER**

(75) Inventors: **Safi Qureshey**, Santa Ana, CA (US); **Daniel D. Sheppard**, Brea, CA (US)

(73) Assignee: **Horsham Enterprises, LLC**, Wilmington, DE (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 1374 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **11/563,232**

(22) Filed: **Nov. 27, 2006**

(65) **Prior Publication Data**

US 2007/0089132 A1 Apr. 19, 2007

Related U.S. Application Data

(63) Continuation of application No. 09/805,470, filed on Mar. 12, 2001, now abandoned, which is a continuation-in-part of application No. 09/096,703, filed on Jun. 12, 1998, now abandoned.

(60) Provisional application No. 60/246,842, filed on Nov. 8, 2000, provisional application No. 60/072,127, filed on Jan. 22, 1998.

(51) **Int. Cl.**

H05K 11/00	(2006.01)
G06F 15/16	(2006.01)
H04N 5/445	(2011.01)

(52) **U.S. Cl.** **455/344**; 455/556.1; 455/557; 455/414.1; 455/414.3; 709/217; 709/219; 725/39; 725/45

(58) **Field of Classification Search** 455/3.02, 455/3.06, 142, 150.1, 151.1, 151.2, 154.1, 455/154.2, 158.1, 158.2, 158.4, 186.1, 344, 455/414.1, 414.3, 456.2, 556.1, 557; 709/217, 709/219; 725/39, 45, 18

See application file for complete search history.

(56) **References Cited**

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(Continued)

FOREIGN PATENT DOCUMENTS

EP 0984584 A1 3/2000

(Continued)

OTHER PUBLICATIONS

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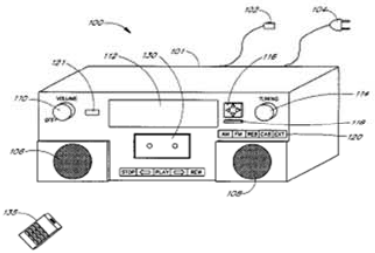
(Continued)

Primary Examiner — Pablo Tran
(74) *Attorney, Agent, or Firm* — Withrow & Terranova, PLLC

(57) **ABSTRACT**

A network-enabled audio device that provides a display device that allows the user to select playlists of music much like a jukebox is disclosed. The user can compose playlists from disk files, CD's, Internet streaming audio broadcasts, online music sites, and other audio sources. The user can also select a desired Web broadcast from a list of available Web broadcasts. In addition, the user can play standard audio CD's and MP3 encoded CD's and have access to local AM/FM stations. Further, the software, the user controls, and the display in the network-enabled audio device are operably configured and connected such that the user can listen to playlists that include CD's and other audio sources just as the user would choose a playlist in a jukebox. The user accesses a server site via a PC and the Internet. From the server site, the user obtains a list of the devices in his or her Internet Personal Audio Network (IPAN) and what songs are on those devices. The IPAN includes an IPAN server, an IPAN client, and IPAN software stored on the network-enabled audio device. Thus, the network-enabled audio device provides people who are or are not comfortable with computers a way of taking music from various sources and putting it into one place for listening pleasure. In one embodiment, the Personal Computer (PC) is used to compose the playlists, but the user is able to listen to playlists and other audio sources without using the PC.

64 Claims, 49 Drawing Sheets



Grounds of Institution – ’952 Patent

Institution Decision

weaknesses of these additional asserted grounds distinguishing them from other grounds asserted. Therefore, the Board deems the remaining proposed grounds redundant, and we do not institute an *inter partes* review on them. *See* 37 C.F.R. § 42.108.

III. CONCLUSION

We conclude that Petitioner has demonstr
of prevailing on the following grounds of unpat
Petition:

Claims 9, 10, and 14 as anticipated by Be
Claim 13 as obvious over Berman; and
Claims 9, 10, and 14 as anticipated by W

The Petition is denied as to all other grou
has not made a final determination on the patent
claims.

IV. ORDER

In consideration of the foregoing, it is her

ORDERED that the Petition is granted as
of the ’952 Patent;

FURTHER ORDERED that pursuant to 35 U.S.C. § 314(a), *inter partes* review of the ’952 Patent is hereby instituted commencing on the entry date of this Order, and pursuant to 35 U.S.C. § 314(c) and 37 C.F.R. § 42.4, notice is hereby given of the institution of a trial;

FURTHER ORDERED that the trial is limited to the grounds identified above and no other grounds set forth in the Petition as to claims 9, 10, 13, and 14 are authorized; and

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III. CONCLUSION

We conclude that Petitioner has demonstrated a reasonable likelihood of prevailing on the following grounds of unpatentability asserted in the Petition:

Claims 9, 10, and 14 as anticipated by Berman;

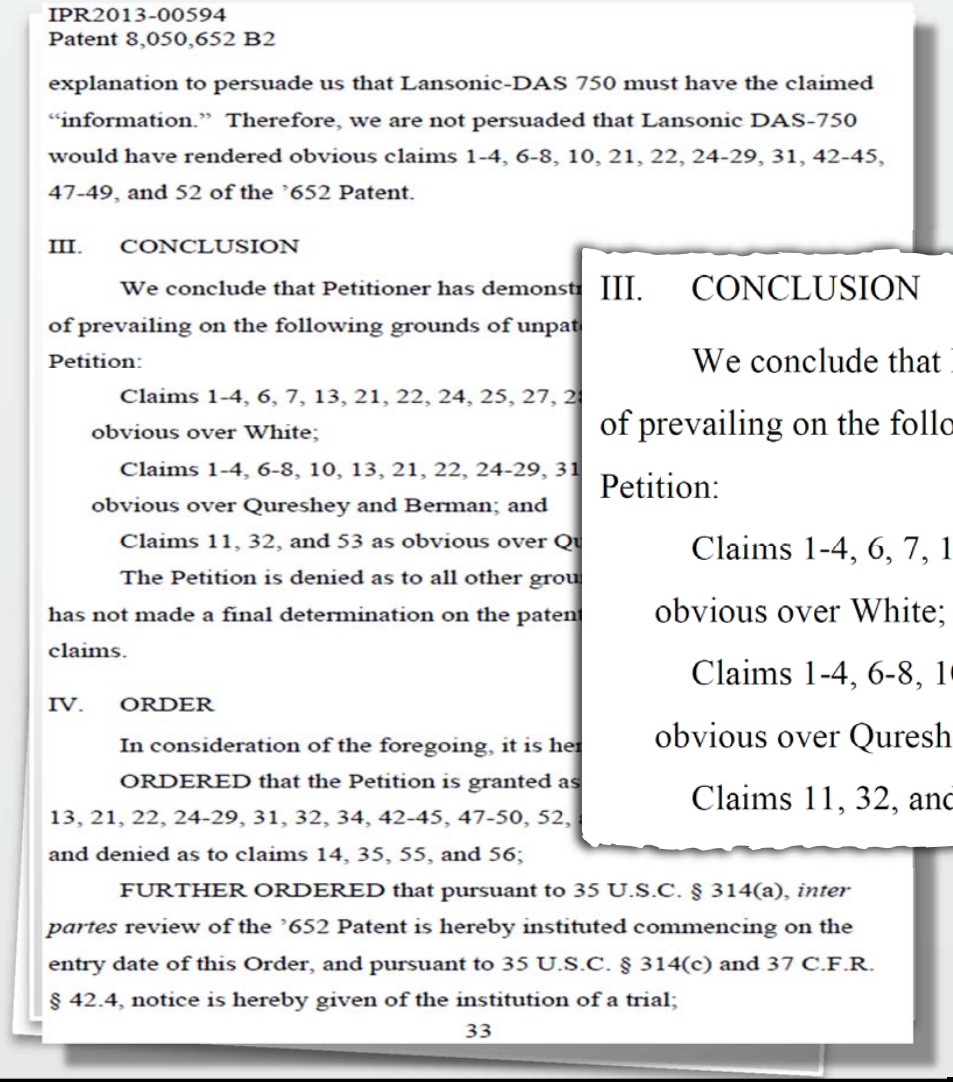
Claim 13 as obvious over Berman; and

Claims 9, 10, and 14 as anticipated by Wolff.

(IPR2013-00593, Paper 22, p. 28)

Grounds of Institution – ’652 Patent

Institution Decision



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Patent 8,050,652 B2

explanation to persuade us that Lansonic-DAS 750 must have the claimed "information." Therefore, we are not persuaded that Lansonic DAS-750 would have rendered obvious claims 1-4, 6-8, 10, 21, 22, 24-29, 31, 42-45, 47-49, and 52 of the '652 Patent.

III. CONCLUSION

We conclude that Petitioner has demonstr
of prevailing on the following grounds of unpat
Petition:

Claims 1-4, 6, 7, 13, 21, 22, 24, 25, 27, 2
obvious over White;

Claims 1-4, 6-8, 10, 13, 21, 22, 24-29, 31
obvious over Qureshey and Berman; and

Claims 11, 32, and 53 as obvious over Qu

The Petition is denied as to all other grou
has not made a final determination on the patent
claims.

IV. ORDER

In consideration of the foregoing, it is he

ORDERED that the Petition is granted as
13, 21, 22, 24-29, 31, 32, 34, 42-45, 47-50, 52,
and denied as to claims 14, 35, 55, and 56;

FURTHER ORDERED that pursuant to 35 U.S.C. § 314(a), *inter partes* review of the '652 Patent is hereby instituted commencing on the entry date of this Order, and pursuant to 35 U.S.C. § 314(c) and 37 C.F.R. § 42.4, notice is hereby given of the institution of a trial;

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III. CONCLUSION

We conclude that Petitioner has demonstrated a reasonable likelihood of prevailing on the following grounds of unpatentability asserted in the Petition:

Claims 1-4, 6, 7, 13, 21, 22, 24, 25, 27, 28, 34, 42-45, 47, and 48 as obvious over White;

Claims 1-4, 6-8, 10, 13, 21, 22, 24-29, 31, 42-45, 47-50, and 52 as obvious over Qureshey and Berman; and

Claims 11, 32, and 53 as obvious over Qureshey, Berman, and Leeke.

(IPR2013-00594, Paper 17, p. 33)

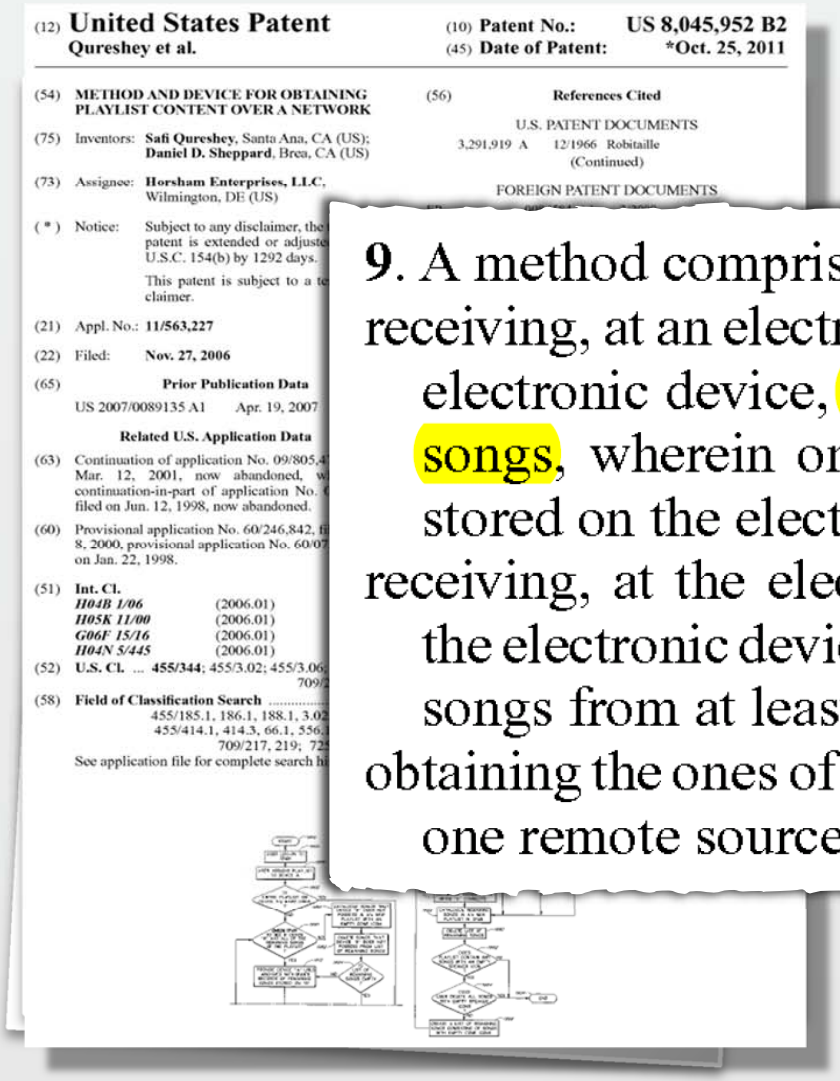
Claim Construction

- Playlist
- Playlist Assigned to the Electronic Device

Claim Construction – Playlist

1. Claim Language
2. Specification
3. Extrinsic Evidence

Claim Language – Illustrative Claim 9



(12) **United States Patent**
Qureshey et al.

(10) **Patent No.: US 8,045,952 B2**
(45) **Date of Patent: *Oct. 25, 2011**

(54) **METHOD AND DEVICE FOR OBTAINING PLAYLIST CONTENT OVER A NETWORK**

(75) Inventors: **Safi Qureshey**, Santa Ana, CA (US); **Daniel D. Sheppard**, Brea, CA (US)

(73) Assignee: **Horsham Enterprises, LLC**, Wilmington, DE (US)

(*) Notice: Subject to any disclaimer, the patent is extended or adjusted U.S.C. 154(b) by 1292 days.
This patent is subject to a te claimer.

(21) Appl. No.: **11/563,227**

(22) Filed: **Nov. 27, 2006**

(65) **Prior Publication Data**
US 2007/0089135 A1 Apr. 19, 2007

Related U.S. Application Data

(63) Continuation of application No. 09/805,4 Mar. 12, 2001, now abandoned, w continuation-in-part of application No. filed on Jun. 12, 1998, now abandoned.

(60) Provisional application No. 60/246,842, fi 8, 2000, provisional application No. 60/07 on Jan. 22, 1998.

(51) **Int. Cl.**
H04B 1/06 (2006.01)
H05K 11/00 (2006.01)
G06F 15/16 (2006.01)
H04N 5/445 (2006.01)

(52) **U.S. Cl.** ... **455/344**; 455/3.02; 455/3.06; 709/2

(58) **Field of Classification Search** 455/185.1, 186.1, 188.1, 3.02 455/414.1, 414.3, 66.1, 556. 709/217, 219; 72
See application file for complete search hi

(56) **References Cited**
U.S. PATENT DOCUMENTS
3,291,919 A 12/1966 Robitaille
(Continued)
FOREIGN PATENT DOCUMENTS

9. A method comprising:

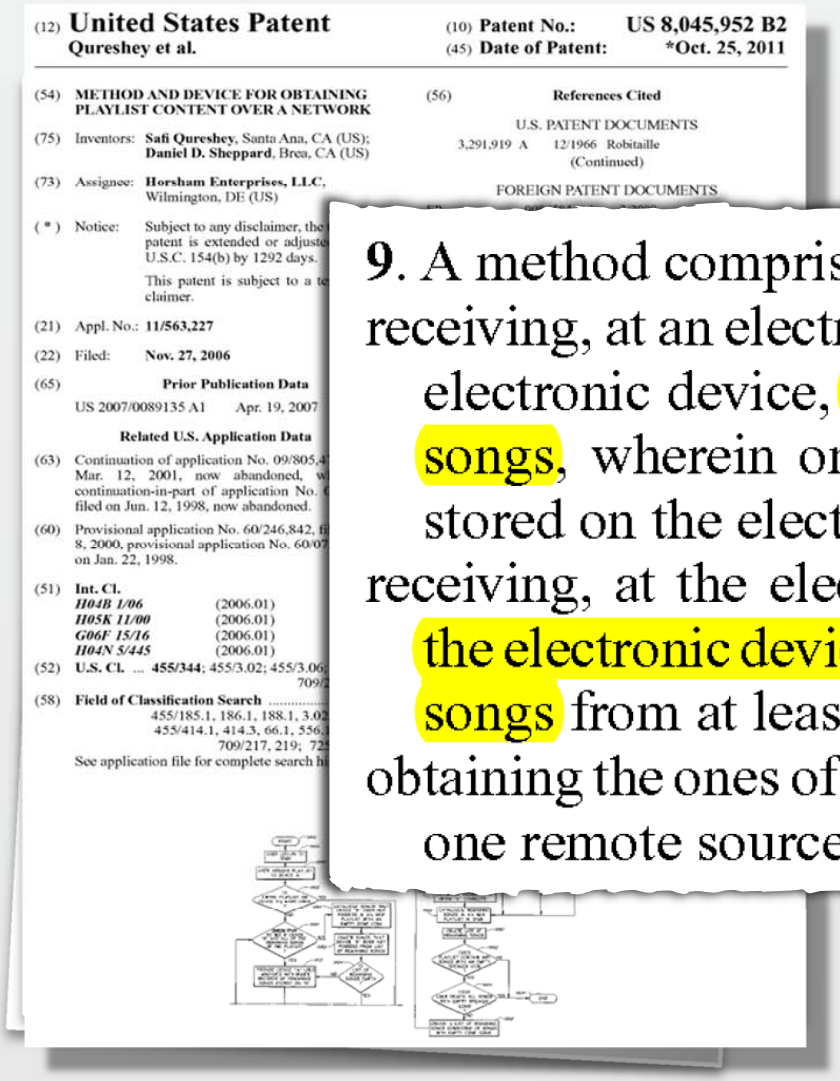
receiving, at an electronic device, a playlist assigned to the electronic device, the playlist identifying a plurality of songs, wherein ones of the plurality of songs are not stored on the electronic device;

receiving, at the electronic device, information enabling the electronic device to obtain the ones of the plurality of songs from at least one remote source; and

obtaining the ones of the plurality of songs from the at least one remote source.

('952 Patent, Claim 9)

Claim Language – Illustrative Claim 9



(12) **United States Patent**
Qureshey et al.

(10) **Patent No.: US 8,045,952 B2**
(45) **Date of Patent: *Oct. 25, 2011**

(54) **METHOD AND DEVICE FOR OBTAINING PLAYLIST CONTENT OVER A NETWORK**

(75) Inventors: **Safi Qureshey**, Santa Ana, CA (US); **Daniel D. Sheppard**, Brea, CA (US)

(73) Assignee: **Horsham Enterprises, LLC**, Wilmington, DE (US)

(*) Notice: Subject to any disclaimer, the patent is extended or adjusted U.S.C. 154(b) by 1292 days.
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(21) Appl. No.: **11/563,227**

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(65) **Prior Publication Data**
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Related U.S. Application Data

(63) Continuation of application No. 09/805,4 Mar. 12, 2001, now abandoned, w continuation-in-part of application No. filed on Jun. 12, 1998, now abandoned.

(60) Provisional application No. 60/246,842, fi 8, 2000, provisional application No. 60/07 on Jan. 22, 1998.

(51) **Int. Cl.**
H04B 1/06 (2006.01)
H05K 11/00 (2006.01)
G06F 15/16 (2006.01)
H04N 5/445 (2006.01)

(52) **U.S. Cl.** ... **455/344**; 455/3.02; 455/3.06; 709/2

(58) **Field of Classification Search** .....
455/185.1, 186.1, 188.1, 3.02
455/414.1, 414.3, 66.1, 556.
709/217, 219; 72
See application file for complete search hi

(56) **References Cited**

U.S. PATENT DOCUMENTS
3,291,919 A 12/1966 Robitaille
(Continued)

FOREIGN PATENT DOCUMENTS

9. A method comprising:

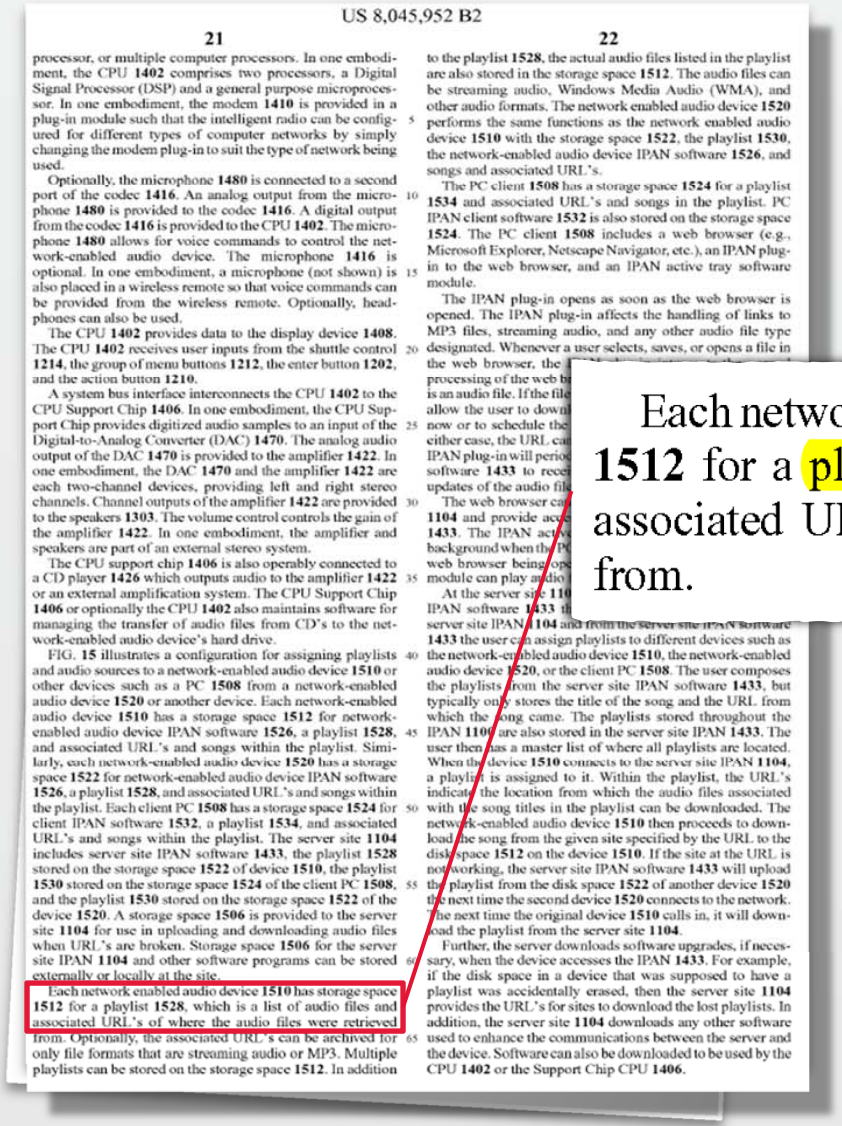
receiving, at an electronic device, a playlist assigned to the electronic device, the playlist identifying a plurality of songs, wherein ones of the plurality of songs are not stored on the electronic device;

receiving, at the electronic device, information enabling the electronic device to obtain the ones of the plurality of songs from at least one remote source; and

obtaining the ones of the plurality of songs from the at least one remote source.

('952 Patent, Claim 9)

Specification



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processor, or multiple computer processors. In one embodiment, the CPU **1402** comprises two processors, a Digital Signal Processor (DSP) and a general purpose microprocessor. In one embodiment, the modem **1410** is provided in a plug-in module such that the intelligent radio can be configured for different types of computer networks by simply changing the modem plug-in to suit the type of network being used.

Optionally, the microphone **1480** is connected to a second port of the codec **1416**. An analog output from the microphone **1480** is provided to the codec **1416**. A digital output from the codec **1416** is provided to the CPU **1402**. The microphone **1480** allows for voice commands to control the network-enabled audio device. The microphone **1416** is optional. In one embodiment, a microphone (not shown) is also placed in a wireless remote so that voice commands can be provided from the wireless remote. Optionally, headphones can also be used.

The CPU **1402** provides data to the display device **1408**. The CPU **1402** receives user inputs from the shuttle control **1214**, the group of menu buttons **1212**, the enter button **1202**, and the action button **1210**.

A system bus interface interconnects the CPU **1402** to the CPU Support Chip **1406**. In one embodiment, the CPU Support Chip provides digitized audio samples to an input of the Digital-to-Analog Converter (DAC) **1470**. The analog audio output of the DAC **1470** is provided to the amplifier **1422**. In one embodiment, the DAC **1470** and the amplifier **1422** are each two-channel devices, providing left and right stereo channels. Channel outputs of the amplifier **1422** are provided to the speakers **1303**. The volume control controls the gain of the amplifier **1422**. In one embodiment, the amplifier and speakers are part of an external stereo system.

The CPU support chip **1406** is also operably connected to a CD player **1426** which outputs audio to the amplifier **1422** or an external amplification system. The CPU Support Chip **1406** or optionally the CPU **1402** also maintains software for managing the transfer of audio files from CD's to the network-enabled audio device's hard drive.

FIG. **15** illustrates a configuration for assigning playlists and audio sources to a network-enabled audio device **1510** or other devices such as a PC **1508** from a network-enabled audio device **1520** or another device. Each network-enabled audio device **1510** has a storage space **1512** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Similarly, each network-enabled audio device **1520** has a storage space **1522** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Each client PC **1508** has a storage space **1524** for client IPAN software **1532**, a playlist **1534**, and associated URL's and songs within the playlist. The server site **1104** includes server site IPAN software **1433**, the playlist **1528** stored on the storage space **1522** of device **1510**, the playlist **1530** stored on the storage space **1524** of the client PC **1508**, and the playlist **1530** stored on the storage space **1522** of the device **1520**. A storage space **1506** is provided to the server site **1104** for use in uploading and downloading audio files when URL's are broken. Storage space **1506** for the server site IPAN **1104** and other software programs can be stored externally or locally at the site.

Each network enabled audio device **1510** has storage space **1512** for a playlist **1528**, which is a list of audio files and associated URL's of where the audio files were retrieved from. Optionally, the associated URL's can be archived for only file formats that are streaming audio or MP3. Multiple playlists can be stored on the storage space **1512**. In addition

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to the playlist **1528**, the actual audio files listed in the playlist are also stored in the storage space **1512**. The audio files can be streaming audio, Windows Media Audio (WMA), and other audio formats. The network enabled audio device **1520** performs the same functions as the network enabled audio device **1510** with the storage space **1522**, the playlist **1530**, the network-enabled audio device IPAN software **1526**, and songs and associated URL's.

The PC client **1508** has a storage space **1524** for a playlist **1534** and associated URL's and songs in the playlist. PC IPAN client software **1532** is also stored on the storage space **1524**. The PC client **1508** includes a web browser (e.g., Microsoft Explorer, Netscape Navigator, etc.), an IPAN plug-in to the web browser, and an IPAN active tray software module.

The IPAN plug-in opens as soon as the web browser is opened. The IPAN plug-in affects the handling of links to MP3 files, streaming audio, and any other audio file type designated. Whenever a user selects, saves, or opens a file in the web browser, the

processing of the web b
is an audio file. If the file
allow the user to down
now or to schedule the
either case, the URL ca
IPAN plug-in will perio
software **1433** to rece
updates of the audio fil

The web browser ca
1104 and provide acc
1433. The IPAN act
background when the P
web browser being ope
module can play audio

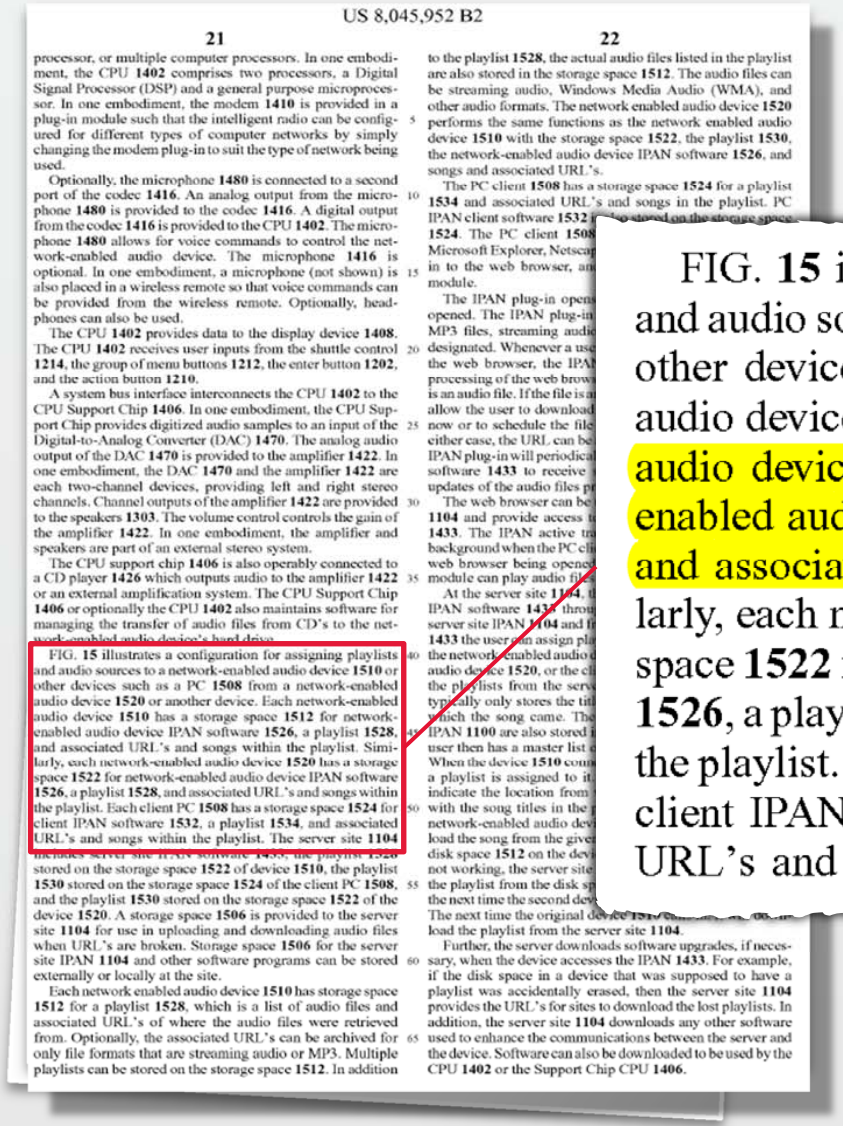
At the server site **110**
IPAN software **1433** t
server site IPAN **1104** and from the server site IPAN software **1433** the user can assign playlists to different devices such as the network-enabled audio device **1510**, the network-enabled audio device **1520**, or the client PC **1508**. The user composes the playlists from the server site IPAN software **1433**, but typically only stores the title of the song and the URL from which the song came. The playlists stored throughout the IPAN **1100** are also stored in the server site IPAN **1433**. The user then has a master list of where all playlists are located. When the device **1510** connects to the server site IPAN **1104**, a playlist is assigned to it. Within the playlist, the URL's indicate the location from which the audio files associated with the song titles in the playlist can be downloaded. The network-enabled audio device **1510** then proceeds to download the song from the given site specified by the URL to the disk space **1512** on the device **1510**. If the site at the URL is not working, the server site IPAN software **1433** will upload the playlist from the disk space **1522** of another device **1520** the next time the second device **1520** connects to the network. The next time the original device **1510** calls in, it will download the playlist from the server site **1104**.

Further, the server downloads software upgrades, if necessary, when the device accesses the IPAN **1433**. For example, if the disk space in a device that was supposed to have a playlist was accidentally erased, then the server site **1104** provides the URL's for sites to download the lost playlists. In addition, the server site **1104** downloads any other software used to enhance the communications between the server and the device. Software can also be downloaded to be used by the CPU **1402** or the Support Chip CPU **1406**.

Each network enabled audio device **1510** has storage space **1512** for a playlist **1528**, which is a list of audio files and associated URL's of where the audio files were retrieved from.

('952 Patent, 21:62-65)

Specification



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processor, or multiple computer processors. In one embodiment, the CPU **1402** comprises two processors, a Digital Signal Processor (DSP) and a general purpose microprocessor. In one embodiment, the modem **1410** is provided in a plug-in module such that the intelligent radio can be configured for different types of computer networks by simply changing the modem plug-in to suit the type of network being used.

Optionally, the microphone **1480** is connected to a second port of the codec **1416**. An analog output from the microphone **1480** is provided to the codec **1416**. A digital output from the codec **1416** is provided to the CPU **1402**. The microphone **1480** allows for voice commands to control the network-enabled audio device. The microphone **1416** is optional. In one embodiment, a microphone (not shown) is also placed in a wireless remote so that voice commands can be provided from the wireless remote. Optionally, headphones can also be used.

The CPU **1402** provides data to the display device **1408**. The CPU **1402** receives user inputs from the shuttle control **1214**, the group of menu buttons **1212**, the enter button **1202**, and the action button **1210**.

A system bus interface interconnects the CPU **1402** to the CPU Support Chip **1406**. In one embodiment, the CPU Support Chip provides digitized audio samples to an input of the Digital-to-Analog Converter (DAC) **1470**. The analog audio output of the DAC **1470** is provided to the amplifier **1422**. In one embodiment, the DAC **1470** and the amplifier **1422** are each two-channel devices, providing left and right stereo channels. Channel outputs of the amplifier **1422** are provided to the speakers **1303**. The volume control controls the gain of the amplifier **1422**. In one embodiment, the amplifier and speakers are part of an external stereo system.

The CPU support chip **1406** is also operably connected to a CD player **1426** which outputs audio to the amplifier **1422** or an external amplification system. The CPU Support Chip **1406** or optionally the CPU **1402** also maintains software for managing the transfer of audio files from CD's to the network-enabled audio device's hard drive.

FIG. **15** illustrates a configuration for assigning playlists and audio sources to a network-enabled audio device **1510** or other devices such as a PC **1508** from a network-enabled audio device **1520** or another device. Each network-enabled audio device **1510** has a storage space **1512** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Similarly, each network-enabled audio device **1520** has a storage space **1522** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Each client PC **1508** has a storage space **1524** for client IPAN software **1532**, a playlist **1534**, and associated URL's and songs within the playlist. The server site **1104** includes server site IPAN software **1433**, the playlist **1528** stored on the storage space **1522** of device **1510**, the playlist **1530** stored on the storage space **1524** of the client PC **1508**, and the playlist **1530** stored on the storage space **1522** of the device **1520**. A storage space **1506** is provided to the server site **1104** for use in uploading and downloading audio files when URL's are broken. Storage space **1506** for the server site IPAN **1104** and other software programs can be stored externally or locally at the site.

Each network enabled audio device **1510** has storage space **1512** for a playlist **1528**, which is a list of audio files and associated URL's of where the audio files were retrieved from. Optionally, the associated URL's can be archived for only file formats that are streaming audio or MP3. Multiple playlists can be stored on the storage space **1512**. In addition

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to the playlist **1528**, the actual audio files listed in the playlist are also stored in the storage space **1512**. The audio files can be streaming audio, Windows Media Audio (WMA), and other audio formats. The network enabled audio device **1520** performs the same functions as the network enabled audio device **1510** with the storage space **1522**, the playlist **1530**, the network-enabled audio device IPAN software **1526**, and songs and associated URL's.

The PC client **1508** has a storage space **1524** for a playlist **1534** and associated URL's and songs in the playlist. PC IPAN client software **1532** [illegible] stored on the storage space **1524**. The PC client **1508** [illegible] Microsoft Explorer, Netscape [illegible] in to the web browser, an[illegible] module.

The IPAN plug-in open[illegible] opened. The IPAN plug-in[illegible] MP3 files, streaming audi[illegible] designated. Whenever a use[illegible] the web browser, the IPA[illegible] processing of the web brow[illegible] is an audio file. If the file is a[illegible] allow the user to download[illegible] now or to schedule the file[illegible] either case, the URL can be[illegible] IPAN plug-in will periodica[illegible] software **1433** to receive[illegible] updates of the audio files p[illegible]

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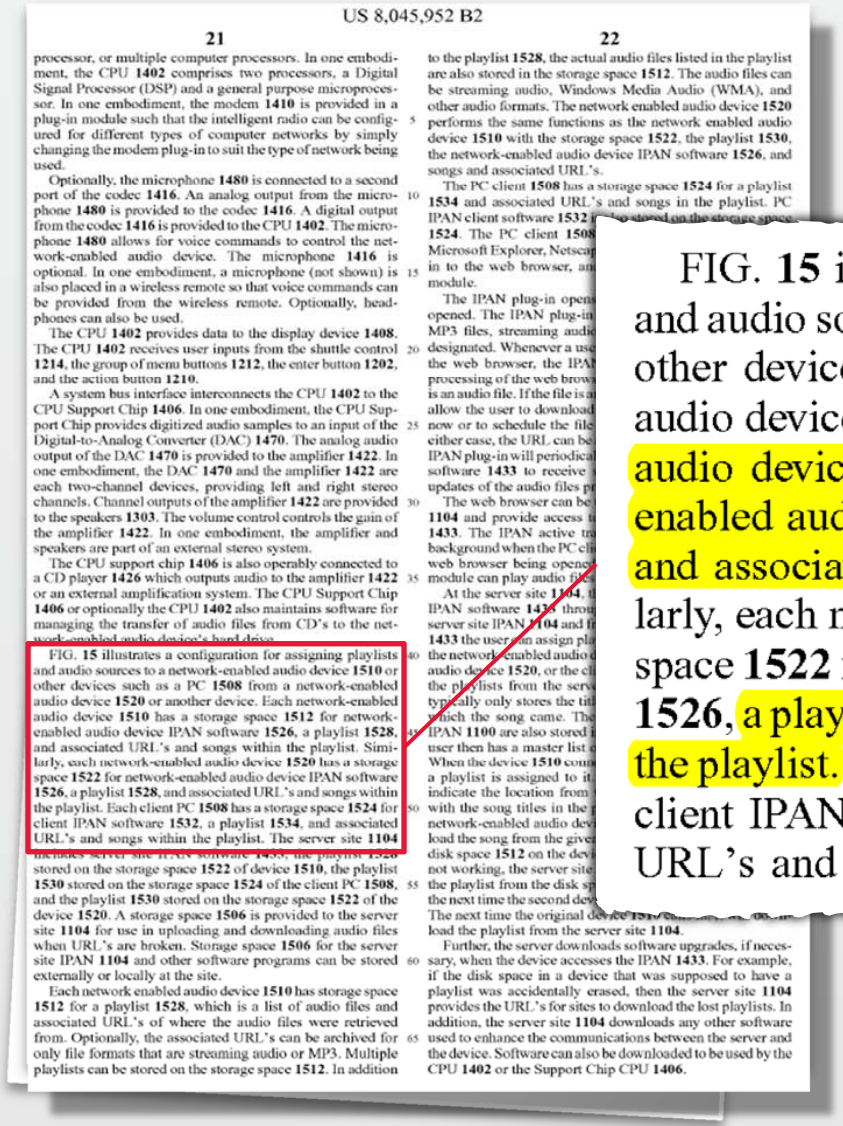
Further, the server downloads software upgrades, if necessary, when the device accesses the IPAN **1433**. For example, if the disk space in a device that was supposed to have a playlist was accidentally erased, then the server site **1104** provides the URL's for sites to download the lost playlists. In addition, the server site **1104** downloads any other software used to enhance the communications between the server and the device. Software can also be downloaded to be used by the CPU **1402** or the Support Chip CPU **1406**.

FIG. **15** illustrates a configuration for assigning playlists and audio sources to a network-enabled audio device **1510** or other devices such as a PC **1508** from a network-enabled audio device **1520** or another device. Each network-enabled audio device **1510** has a storage space **1512** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Similarly, each network-enabled audio device **1520** has a storage space **1522** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Each client PC **1508** has a storage space **1524** for client IPAN software **1532**, a playlist **1534**, and associated URL's and songs within the playlist.

('952 Patent, 21:40-52)

Specification



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21

processor, or multiple computer processors. In one embodiment, the CPU **1402** comprises two processors, a Digital Signal Processor (DSP) and a general purpose microprocessor. In one embodiment, the modem **1410** is provided in a plug-in module such that the intelligent radio can be configured for different types of computer networks by simply changing the modem plug-in to suit the type of network being used.

Optionally, the microphone **1480** is connected to a second port of the codec **1416**. An analog output from the microphone **1480** is provided to the codec **1416**. A digital output from the codec **1416** is provided to the CPU **1402**. The microphone **1480** allows for voice commands to control the network-enabled audio device. The microphone **1416** is optional. In one embodiment, a microphone (not shown) is also placed in a wireless remote so that voice commands can be provided from the wireless remote. Optionally, headphones can also be used.

The CPU **1402** provides data to the display device **1408**. The CPU **1402** receives user inputs from the shuttle control **1214**, the group of menu buttons **1212**, the enter button **1202**, and the action button **1210**.

A system bus interface interconnects the CPU **1402** to the CPU Support Chip **1406**. In one embodiment, the CPU Support Chip provides digitized audio samples to an input of the Digital-to-Analog Converter (DAC) **1470**. The analog audio output of the DAC **1470** is provided to the amplifier **1422**. In one embodiment, the DAC **1470** and the amplifier **1422** are each two-channel devices, providing left and right stereo channels. Channel outputs of the amplifier **1422** are provided to the speakers **1303**. The volume control controls the gain of the amplifier **1422**. In one embodiment, the amplifier and speakers are part of an external stereo system.

The CPU support chip **1406** is also operably connected to a CD player **1426** which outputs audio to the amplifier **1422** or an external amplification system. The CPU Support Chip **1406** or optionally the CPU **1402** also maintains software for managing the transfer of audio files from CD's to the network-enabled audio device's hard drive.

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to the playlist **1528**, the actual audio files listed in the playlist are also stored in the storage space **1512**. The audio files can be streaming audio, Windows Media Audio (WMA), and other audio formats. The network enabled audio device **1520** performs the same functions as the network enabled audio device **1510** with the storage space **1522**, the playlist **1530**, the network-enabled audio device IPAN software **1526**, and songs and associated URL's.

The PC client **1508** has a storage space **1524** for a playlist **1534** and associated URL's and songs in the playlist. PC IPAN client software **1532** [illegible] stored on the storage space **1524**. The PC client **1508** [illegible] Microsoft Explorer, Netscape [illegible] in to the web browser, an[illegible] module.

The IPAN plug-in opens [illegible] opened. The IPAN plug-in [illegible] MP3 files, streaming audio [illegible] designated. Whenever a use[illegible] the web browser, the IPAN [illegible] processing of the web browser [illegible] is an audio file. If the file is a[illegible] allow the user to download [illegible] now or to schedule the file [illegible] either case, the URL can be [illegible] IPAN plug-in will periodically [illegible] software **1433** to receive [illegible] updates of the audio files p[illegible]

The web browser can be [illegible] **1104** and provide access t[illegible] **1433**. The IPAN active tra[illegible] background when the PC cli[illegible] web browser being opened [illegible] module can play audio file[illegible]

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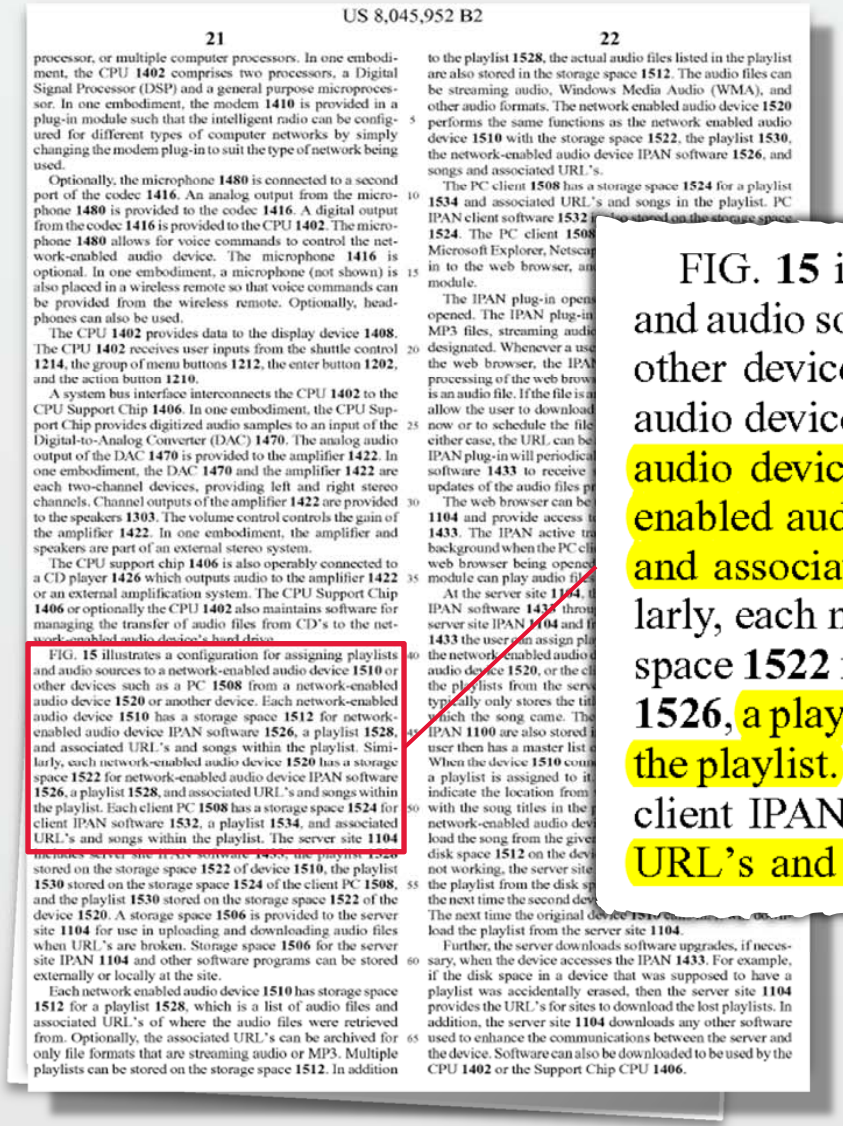
Further, the server downloads software upgrades, if necessary, when the device accesses the IPAN **1433**. For example, if the disk space in a device that was supposed to have a playlist was accidentally erased, then the server site **1104** provides the URL's for sites to download the lost playlists. In addition, the server site **1104** downloads any other software used to enhance the communications between the server and the device. Software can also be downloaded to be used by the CPU **1402** or the Support Chip CPU **1406**.

FIG. **15** illustrates a configuration for assigning playlists and audio sources to a network-enabled audio device **1510** or other devices such as a PC **1508** from a network-enabled audio device **1520** or another device. Each network-enabled audio device **1510** has a storage space **1512** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Similarly, each network-enabled audio device **1520** has a storage space **1522** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Each client PC **1508** has a storage space **1524** for client IPAN software **1532**, a playlist **1534**, and associated URL's and songs within the playlist.

('952 Patent, 21:40-52)

Specification



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processor, or multiple computer processors. In one embodiment, the CPU **1402** comprises two processors, a Digital Signal Processor (DSP) and a general purpose microprocessor. In one embodiment, the modem **1410** is provided in a plug-in module such that the intelligent radio can be configured for different types of computer networks by simply changing the modem plug-in to suit the type of network being used.

Optionally, the microphone **1480** is connected to a second port of the codec **1416**. An analog output from the microphone **1480** is provided to the codec **1416**. A digital output from the codec **1416** is provided to the CPU **1402**. The microphone **1480** allows for voice commands to control the network-enabled audio device. The microphone **1416** is optional. In one embodiment, a microphone (not shown) is also placed in a wireless remote so that voice commands can be provided from the wireless remote. Optionally, headphones can also be used.

The CPU **1402** provides data to the display device **1408**. The CPU **1402** receives user inputs from the shuttle control **1214**, the group of menu buttons **1212**, the enter button **1202**, and the action button **1210**.

A system bus interface interconnects the CPU **1402** to the CPU Support Chip **1406**. In one embodiment, the CPU Support Chip provides digitized audio samples to an input of the Digital-to-Analog Converter (DAC) **1470**. The analog audio output of the DAC **1470** is provided to the amplifier **1422**. In one embodiment, the DAC **1470** and the amplifier **1422** are each two-channel devices, providing left and right stereo channels. Channel outputs of the amplifier **1422** are provided to the speakers **1303**. The volume control controls the gain of the amplifier **1422**. In one embodiment, the amplifier and speakers are part of an external stereo system.

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Further, the server downloads software upgrades, if necessary, when the device accesses the IPAN **1433**. For example, if the disk space in a device that was supposed to have a playlist was accidentally erased, then the server site **1104** provides the URL's for sites to download the lost playlists. In addition, the server site **1104** downloads any other software used to enhance the communications between the server and the device. Software can also be downloaded to be used by the CPU **1402** or the Support Chip CPU **1406**.

FIG. **15** illustrates a configuration for assigning playlists and audio sources to a network-enabled audio device **1510** or other devices such as a PC **1508** from a network-enabled audio device **1520** or another device. Each network-enabled audio device **1510** has a storage space **1512** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Similarly, each network-enabled audio device **1520** has a storage space **1522** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Each client PC **1508** has a storage space **1524** for client IPAN software **1532**, a playlist **1534**, and associated URL's and songs within the playlist.

('952 Patent, 21:40-52)

Specification

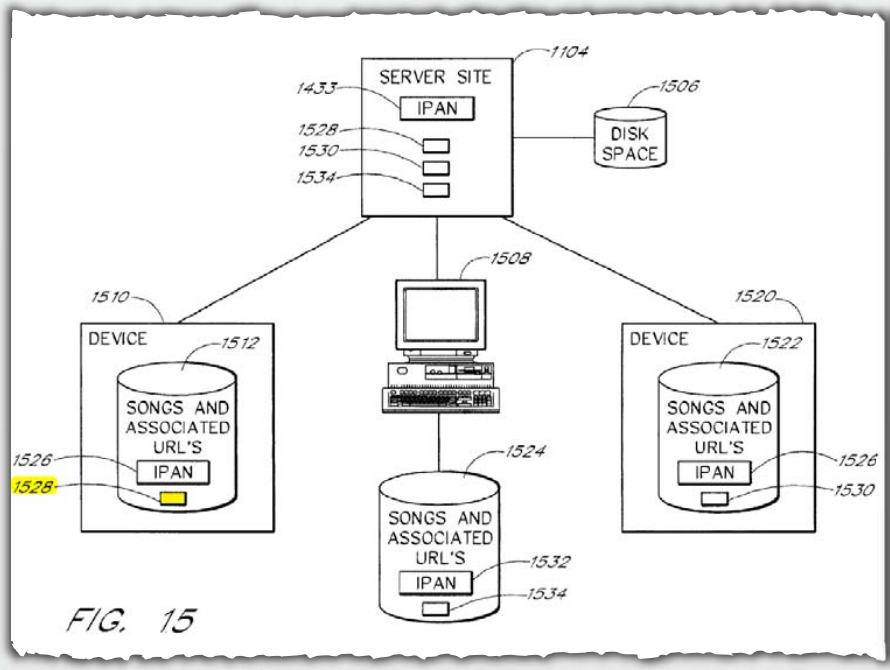


FIG. 15

('952 Patent, FIG. 15)

FIG. **15** illustrates a configuration for assigning playlists and audio sources to a network-enabled audio device **1510** or other devices such as a PC **1508** from a network-enabled audio device **1520** or another device. Each network-enabled audio device **1510** has a storage space **1512** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Similarly, each network-enabled audio device **1520** has a storage space **1522** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Each client PC **1508** has a storage space **1524** for client IPAN software **1532**, a playlist **1534**, and associated URL's and songs within the playlist.

('952 Patent, 21:40-52)

Specification

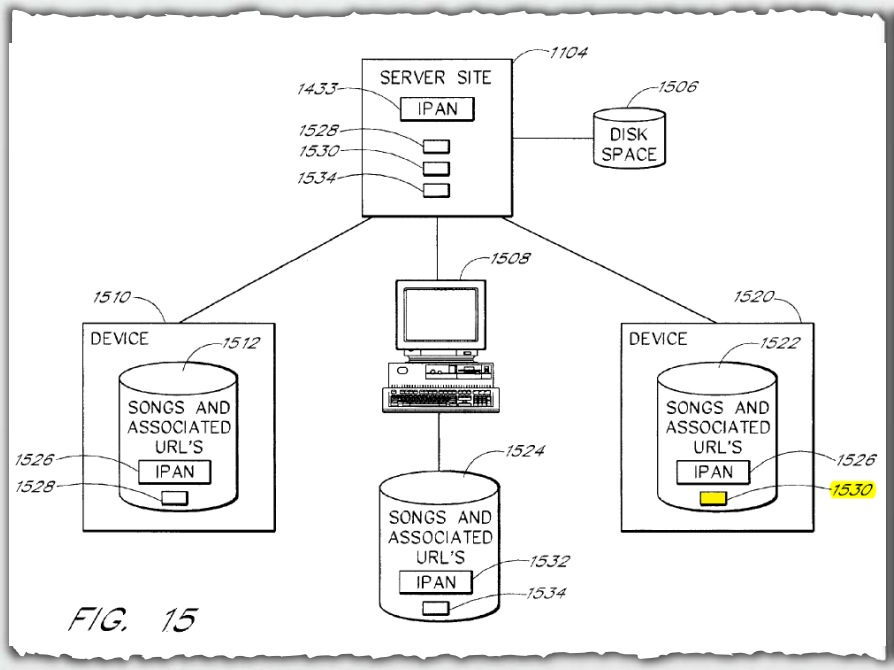


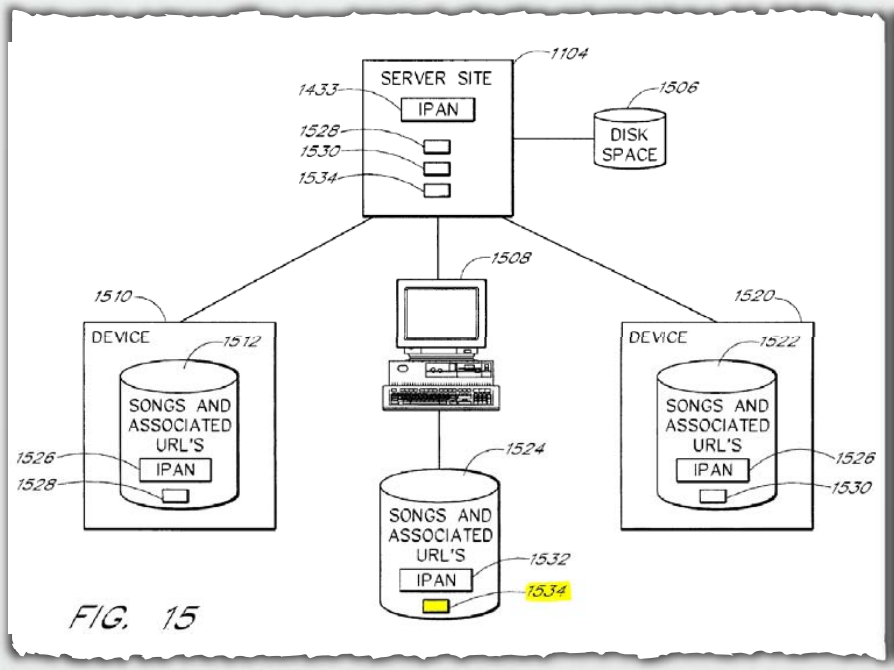
FIG. 15

('952 Patent, FIG. 15)

FIG. **15** illustrates a configuration for assigning playlists and audio sources to a network-enabled audio device **1510** or other devices such as a PC **1508** from a network-enabled audio device **1520** or another device. Each network-enabled audio device **1510** has a storage space **1512** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Similarly, each network-enabled audio device **1520** has a storage space **1522** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Each client PC **1508** has a storage space **1524** for client IPAN software **1532**, a playlist **1534**, and associated URL's and songs within the playlist.

('952 Patent, 21:40-52)

Specification

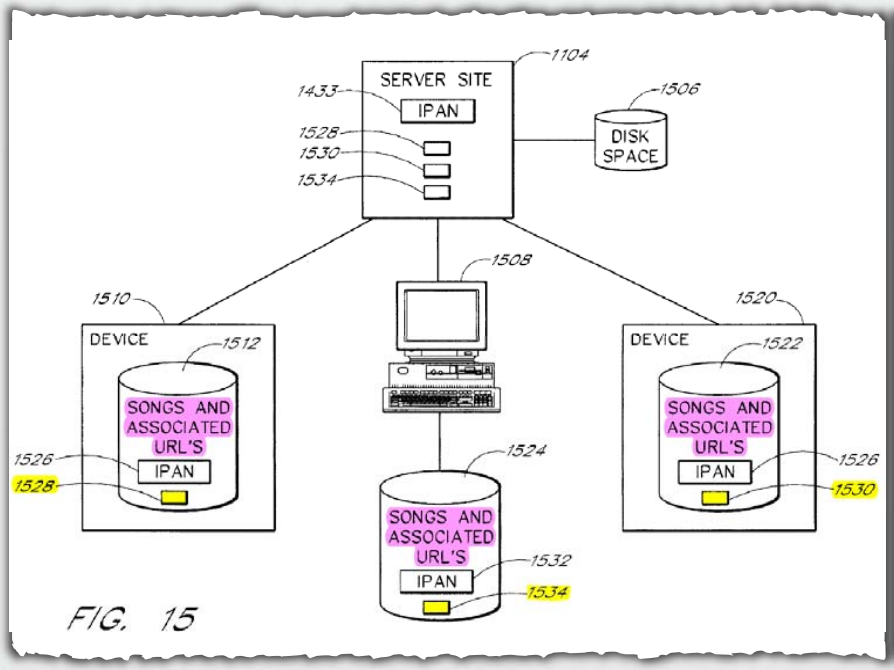


('952 Patent, FIG. 15)

FIG. **15** illustrates a configuration for assigning playlists and audio sources to a network-enabled audio device **1510** or other devices such as a PC **1508** from a network-enabled audio device **1520** or another device. Each network-enabled audio device **1510** has a storage space **1512** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Similarly, each network-enabled audio device **1520** has a storage space **1522** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Each client PC **1508** has a storage space **1524** for client IPAN software **1532**, a playlist **1534**, and associated URL's and songs within the playlist.

('952 Patent, 21:40-52)

Specification



('952 Patent, FIG. 15)

FIG. **15** illustrates a configuration for assigning playlists and audio sources to a network-enabled audio device **1510** or other devices such as a PC **1508** from a network-enabled audio device **1520** or another device. Each network-enabled audio device **1510** has a storage space **1512** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Similarly, each network-enabled audio device **1520** has a storage space **1522** for network-enabled audio device IPAN software **1526**, a playlist **1528**, and associated URL's and songs within the playlist. Each client PC **1508** has a storage space **1524** for client IPAN software **1532**, a playlist **1534**, and associated URL's and songs within the playlist.

('952 Patent, 21:40-52)

Claim Language & Specification

9. A method comprising:
receiving, at an electronic device, a playlist assigned to the electronic device, the playlist identifying a plurality of songs, wherein ones of the plurality of songs are not stored on the electronic device;
receiving, at the electronic device, information enabling the electronic device to obtain the ones of the plurality of songs from at least one remote source; and
obtaining the ones of the plurality of songs from the at least one remote source.

('952 Patent, Claim 9)

Each network enabled audio device **1510** has storage space **1512** for a playlist **1528**, which is a list of audio files and associated URL's of where the audio files were retrieved from.

('952 Patent, 21:62-65)

Claim Language & Specification

9. A method comprising:

receiving, at an electronic device, a playlist assigned to the electronic device, the playlist identifying a plurality of songs, wherein ones of the plurality of songs are not stored on the electronic device;

receiving, at the electronic device, information enabling the electronic device to obtain the ones of the plurality of songs from at least one remote source; and

obtaining the ones of the plurality of songs from the at least one remote source.

('952 Patent, Claim 9)

Each network enabled audio device **1510** has storage space **1512** for a playlist **1528**, which is a list of audio files and associated URL's of where the audio files were retrieved from.

('952 Patent, 21:62-65)

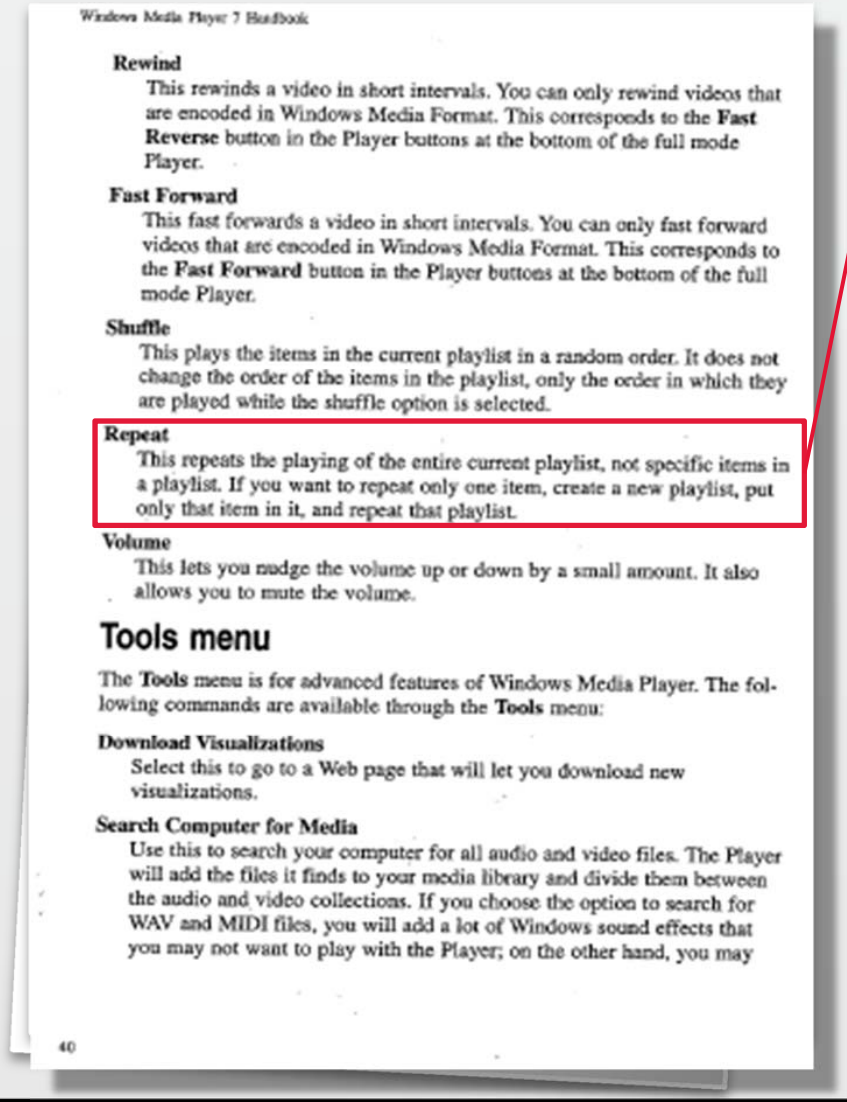
Claim Construction – Playlist

Broadest Reasonable Construction Consistent with the Specification

"A list of audio files"

Extrinsic Evidence

Microsoft Handbook



Windows Media Player 7 Handbook

Rewind
This rewinds a video in short intervals. You can only rewind videos that are encoded in Windows Media Format. This corresponds to the **Fast Reverse** button in the Player buttons at the bottom of the full mode Player.

Fast Forward
This fast forwards a video in short intervals. You can only fast forward videos that are encoded in Windows Media Format. This corresponds to the **Fast Forward** button in the Player buttons at the bottom of the full mode Player.

Shuffle
This plays the items in the current playlist in a random order. It does not change the order of the items in the playlist, only the order in which they are played while the shuffle option is selected.

Repeat
This repeats the playing of the entire current playlist, not specific items in a playlist. If you want to repeat only one item, create a new playlist, put only that item in it, and repeat that playlist.

Volume
This lets you nudge the volume up or down by a small amount. It also allows you to mute the volume.

Tools menu

The **Tools** menu is for advanced features of Windows Media Player. The following commands are available through the **Tools** menu:

Download Visualizations
Select this to go to a Web page that will let you download new visualizations.

Search Computer for Media
Use this to search your computer for all audio and video files. The Player will add the files it finds to your media library and divide them between the audio and video collections. If you choose the option to search for WAV and MIDI files, you will add a lot of Windows sound effects that you may not want to play with the Player; on the other hand, you may

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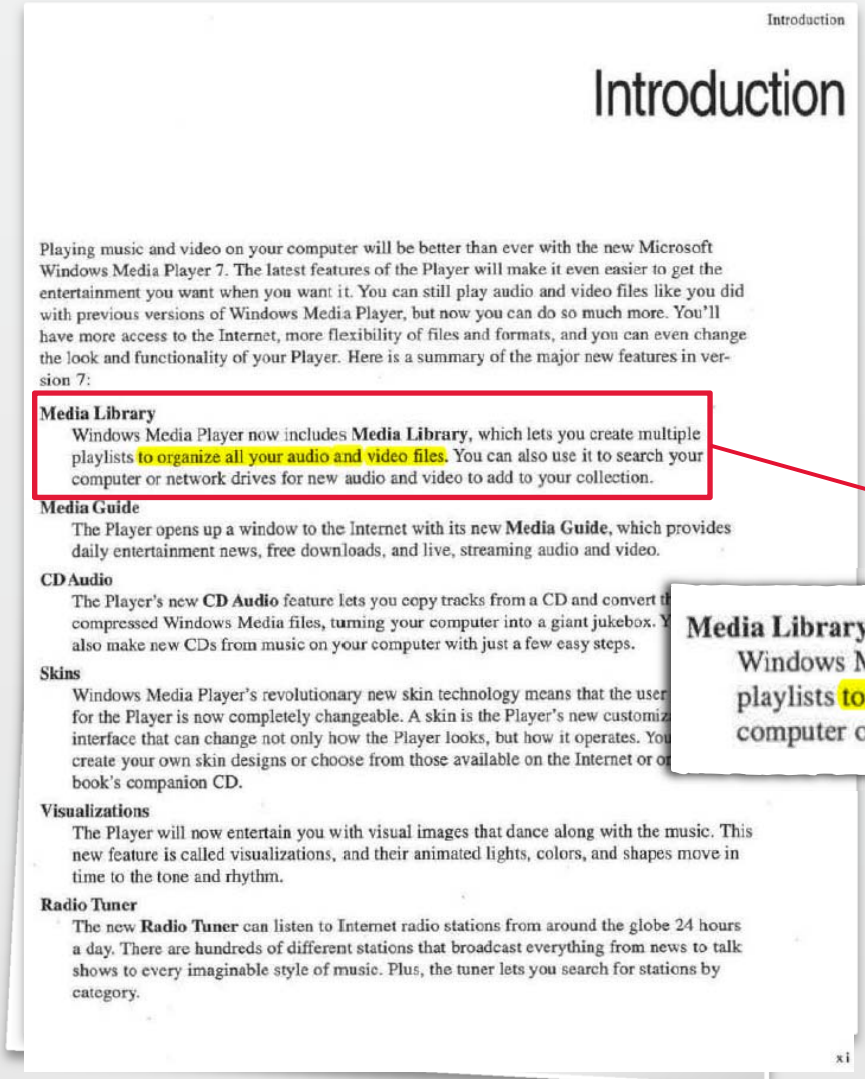
Repeat
This repeats the playing of the entire current playlist, not specific items in a playlist. If you want to repeat only one item, create a new playlist, put only that item in it, and repeat that playlist.

(Ex. 2015, p. 40)

Extrinsic Evidence

Microsoft Handbook



Introduction

Introduction

Playing music and video on your computer will be better than ever with the new Microsoft Windows Media Player 7. The latest features of the Player will make it even easier to get the entertainment you want when you want it. You can still play audio and video files like you did with previous versions of Windows Media Player, but now you can do so much more. You'll have more access to the Internet, more flexibility of files and formats, and you can even change the look and functionality of your Player. Here is a summary of the major new features in version 7:

Media Library
Windows Media Player now includes **Media Library**, which lets you create multiple playlists to organize all your audio and video files. You can also use it to search your computer or network drives for new audio and video to add to your collection.

Media Guide
The Player opens up a window to the Internet with its new **Media Guide**, which provides daily entertainment news, free downloads, and live, streaming audio and video.

CD Audio
The Player's new **CD Audio** feature lets you copy tracks from a CD and convert t
compressed Windows Media files, turning your computer into a giant jukebox. Y
also make new CDs from music on your computer with just a few easy steps.

Skins
Windows Media Player's revolutionary new skin technology means that the user
for the Player is now completely changeable. A skin is the Player's new customiz
interface that can change not only how the Player looks, but how it operates. You
create your own skin designs or choose from those available on the Internet or o
book's companion CD.

Visualizations
The Player will now entertain you with visual images that dance along with the music. This new feature is called visualizations, and their animated lights, colors, and shapes move in time to the tone and rhythm.

Radio Tuner
The new **Radio Tuner** can listen to Internet radio stations from around the globe 24 hours a day. There are hundreds of different stations that broadcast everything from news to talk shows to every imaginable style of music. Plus, the tuner lets you search for stations by category.

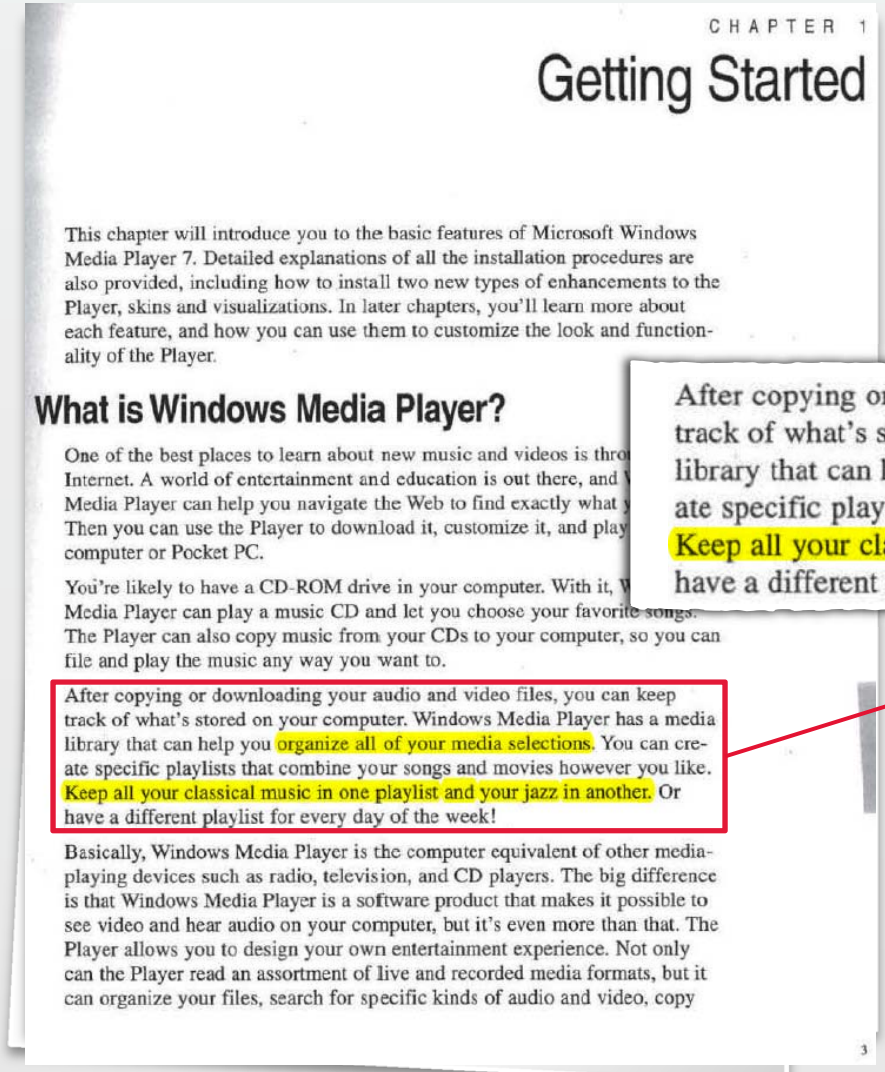
xi

Media Library
Windows Media Player now includes **Media Library**, which lets you create multiple playlists to organize all your audio and video files. You can also use it to search your computer or network drives for new audio and video to add to your collection.

(Ex. 1018, p. xi)

Extrinsic Evidence

Microsoft Handbook



CHAPTER 1

Getting Started

This chapter will introduce you to the basic features of Microsoft Windows Media Player 7. Detailed explanations of all the installation procedures are also provided, including how to install two new types of enhancements to the Player, skins and visualizations. In later chapters, you'll learn more about each feature, and how you can use them to customize the look and functionality of the Player.

What is Windows Media Player?

One of the best places to learn about new music and videos is thro
Internet. A world of entertainment and education is out there, and
Media Player can help you navigate the Web to find exactly what
Then you can use the Player to download it, customize it, and play
computer or Pocket PC.

You're likely to have a CD-ROM drive in your computer. With it,
Media Player can play a music CD and let you choose your favorite songs.
The Player can also copy music from your CDs to your computer, so you can file and play the music any way you want to.

After copying or downloading your audio and video files, you can keep track of what's stored on your computer. Windows Media Player has a media library that can help you organize all of your media selections. You can create specific playlists that combine your songs and movies however you like. Keep all your classical music in one playlist and your jazz in another. Or have a different playlist for every day of the week!

Basically, Windows Media Player is the computer equivalent of other media-playing devices such as radio, television, and CD players. The big difference is that Windows Media Player is a software product that makes it possible to see video and hear audio on your computer, but it's even more than that. The Player allows you to design your own entertainment experience. Not only can the Player read an assortment of live and recorded media formats, but it can organize your files, search for specific kinds of audio and video, copy

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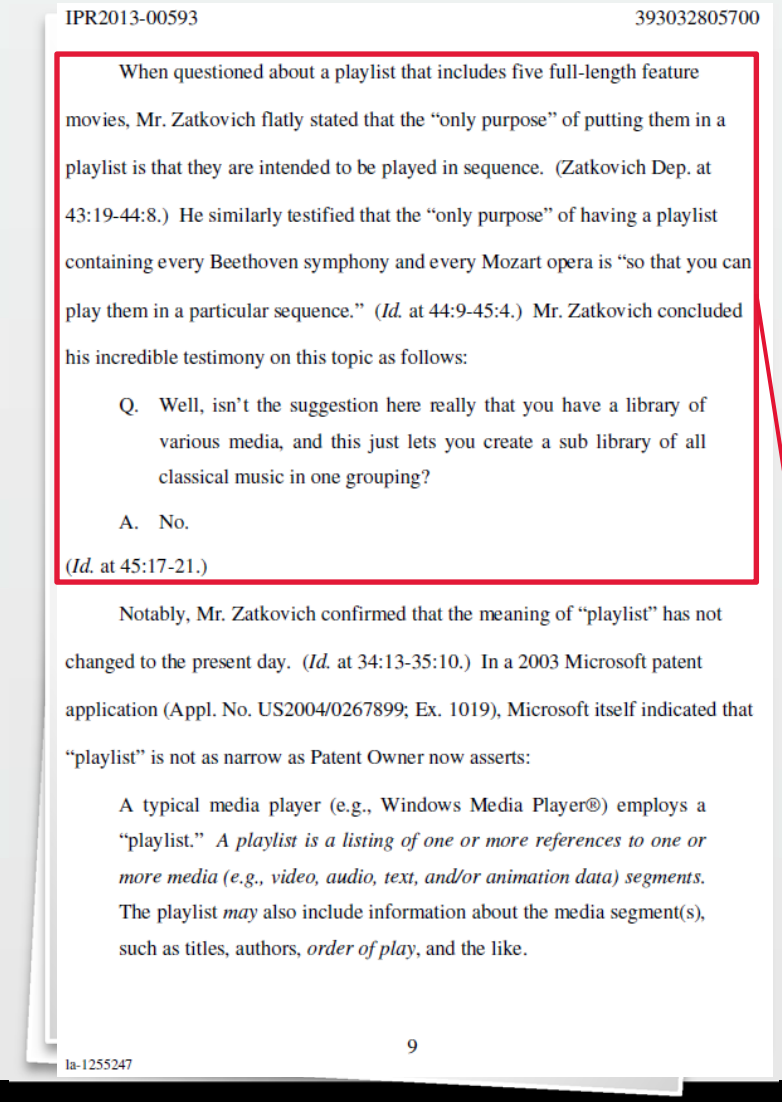
(Ex. 1018, p. 3)

Extrinsic Evidence

Petitioner's Reply



IPR2013-00593 393032805700

When questioned about a playlist that includes five full-length feature movies, Mr. Zatkovich flatly stated that the "only purpose" of putting them in a playlist is that they are intended to be played in sequence. (Zatkovich Dep. at 43:19-44:8.) He similarly testified that the "only purpose" of having a playlist containing every Beethoven symphony and every Mozart opera is "so that you can play them in a particular sequence." (*Id.* at 44:9-45:4.) Mr. Zatkovich concluded his incredible testimony on this topic as follows:

> Q. Well, isn't the suggestion here really that you have a library of various media, and this just lets you create a sub library of all classical music in one grouping?
>
> A. No.

(*Id.* at 45:17-21.)

Notably, Mr. Zatkovich confirmed that the meaning of "playlist" has not changed to the present day. (*Id.* at 34:13-35:10.) In a 2003 Microsoft patent application (Appl. No. US2004/0267899; Ex. 1019), Microsoft itself indicated that "playlist" is not as narrow as Patent Owner now asserts:

> A typical media player (e.g., Windows Media Player®) employs a "playlist." *A playlist is a listing of one or more references to one or more media (e.g., video, audio, text, and/or animation data) segments.* The playlist *may* also include information about the media segment(s), such as titles, authors, *order of play*, and the like.

9

la-1255247

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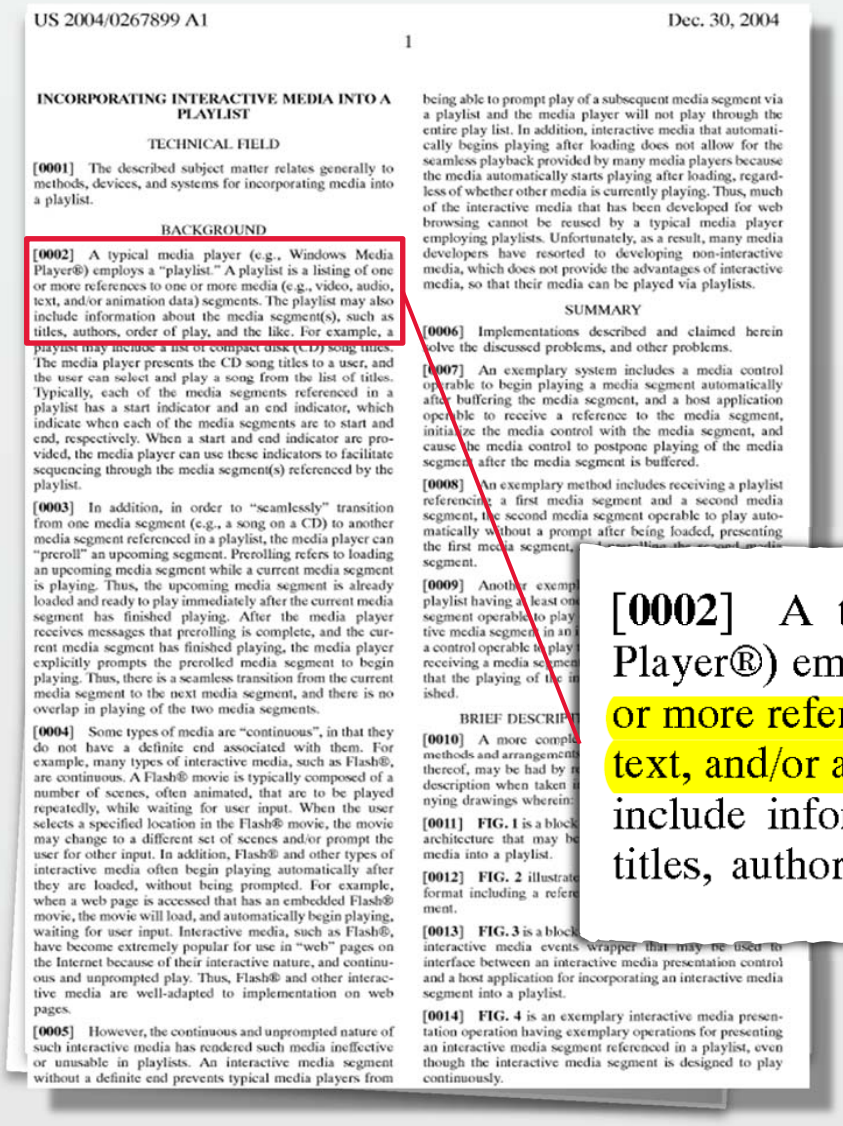
(IPR2013-00593, Paper 38, p. 9)

Extrinsic Evidence



US 2004/0267899 A1 Dec. 30, 2004
1

INCORPORATING INTERACTIVE MEDIA INTO A PLAYLIST

TECHNICAL FIELD

[0001] The described subject matter relates generally to methods, devices, and systems for incorporating media into a playlist.

BACKGROUND

[0002] A typical media player (e.g., Windows Media Player®) employs a "playlist." A playlist is a listing of one or more references to one or more media (e.g., video, audio, text, and/or animation data) segments. The playlist may also include information about the media segment(s), such as titles, authors, order of play, and the like. For example, a playlist may include a list of compact disk (CD) song titles. The media player presents the CD song titles to a user, and the user can select and play a song from the list of titles. Typically, each of the media segments referenced in a playlist has a start indicator and an end indicator, which indicate when each of the media segments are to start and end, respectively. When a start and end indicator are provided, the media player can use these indicators to facilitate sequencing through the media segment(s) referenced by the playlist.

[0003] In addition, in order to "seamlessly" transition from one media segment (e.g., a song on a CD) to another media segment referenced in a playlist, the media player can "preroll" an upcoming segment. Prerolling refers to loading an upcoming media segment while a current media segment is playing. Thus, the upcoming media segment is already loaded and ready to play immediately after the current media segment has finished playing. After the media player receives messages that prerolling is complete, and the current media segment has finished playing, the media player explicitly prompts the prerolled media segment to begin playing. Thus, there is a seamless transition from the current media segment to the next media segment, and there is no overlap in playing of the two media segments.

[0004] Some types of media are "continuous", in that they do not have a definite end associated with them. For example, many types of interactive media, such as Flash®, are continuous. A Flash® movie is typically composed of a number of scenes, often animated, that are to be played repeatedly, while waiting for user input. When the user selects a specified location in the Flash® movie, the movie may change to a different set of scenes and/or prompt the user for other input. In addition, Flash® and other types of interactive media often begin playing automatically after they are loaded, without being prompted. For example, when a web page is accessed that has an embedded Flash® movie, the movie will load, and automatically begin playing, waiting for user input. Interactive media, such as Flash®, have become extremely popular for use in "web" pages on the Internet because of their interactive nature, and continuous and unprompted play. Thus, Flash® and other interactive media are well-adapted to implementation on web pages.

[0005] However, the continuous and unprompted nature of such interactive media has rendered such media ineffective or unusable in playlists. An interactive media segment without a definite end prevents typical media players from being able to prompt play of a subsequent media segment via a playlist and the media player will not play through the entire play list. In addition, interactive media that automatically begins playing after loading does not allow for the seamless playback provided by many media players because the media automatically starts playing after loading, regardless of whether other media is currently playing. Thus, much of the interactive media that has been developed for web browsing cannot be reused by a typical media player employing playlists. Unfortunately, as a result, many media developers have resorted to developing non-interactive media, which does not provide the advantages of interactive media, so that their media can be played via playlists.

SUMMARY

[0006] Implementations described and claimed herein solve the discussed problems, and other problems.

[0007] An exemplary system includes a media control operable to begin playing a media segment automatically after buffering the media segment, and a host application operable to receive a reference to the media segment, initialize the media control with the media segment, and cause the media control to postpone playing of the media segment after the media segment is buffered.

[0008] An exemplary method includes receiving a playlist referencing a first media segment and a second media segment, the second media segment operable to play automatically without a prompt after being loaded, presenting the first media segment, [illegible] segment.

[0009] Another exemplary playlist having at least one segment operable to play [illegible] tive media segment in an [illegible] a control operable to play [illegible] receiving a media segment [illegible] that the playing of the [illegible] ished.

BRIEF DESCRIPTION

[0010] A more complete [illegible] methods and arrangements thereof, may be had by [illegible] description when taken [illegible] nying drawings wherein:

[0011] FIG. 1 is a block [illegible] architecture that may be [illegible] media into a playlist.

[0012] FIG. 2 illustrates [illegible] format including a reference [illegible] ment.

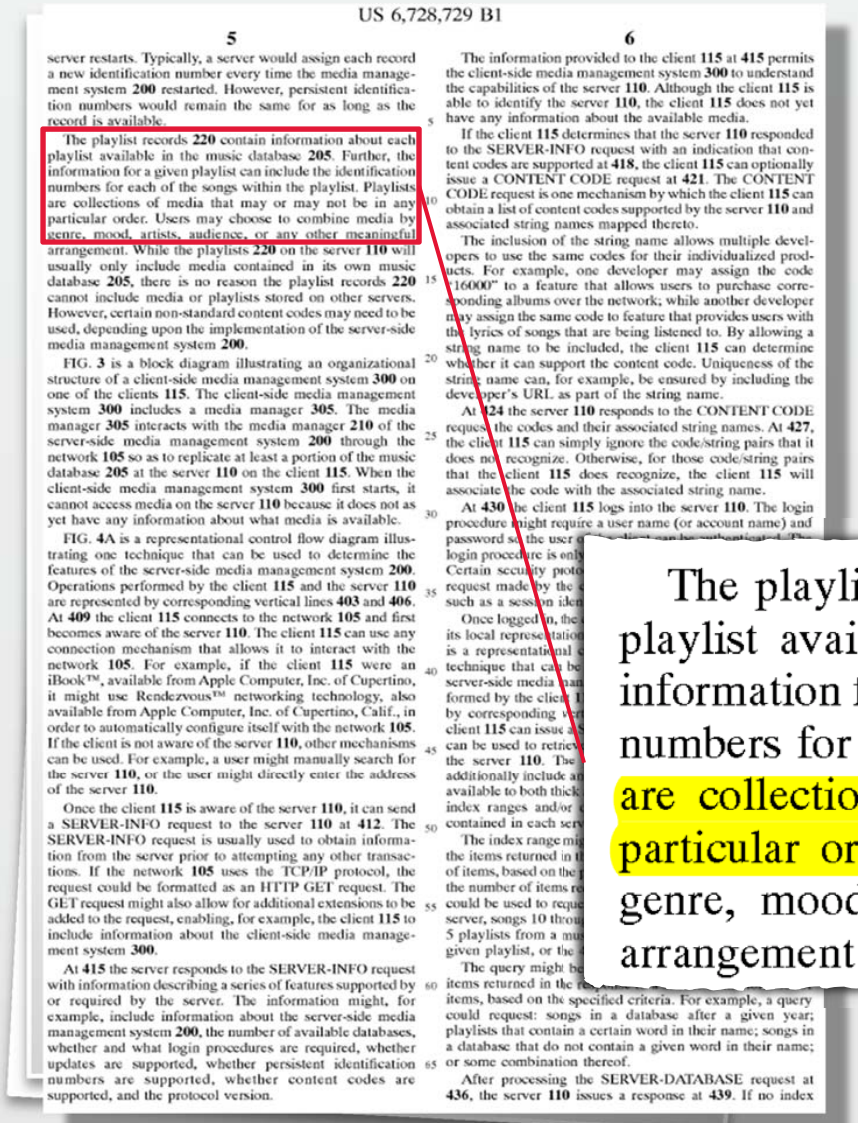
[0013] FIG. 3 is a block [illegible] interactive media events wrapper that may be used to interface between an interactive media presentation control and a host application for incorporating an interactive media segment into a playlist.

[0014] FIG. 4 is an exemplary interactive media presentation operation having exemplary operations for presenting an interactive media segment referenced in a playlist, even though the interactive media segment is designed to play continuously.

[0002] A typical media player (e.g., Windows Media Player®) employs a "playlist." A playlist is a listing of one or more references to one or more media (e.g., video, audio, text, and/or animation data) segments. The playlist may also include information about the media segment(s), such as titles, authors, order of play, and the like.

(Microsoft Patent App., Ex. 1019, [0002])

Extrinsic Evidence



US 6,728,729 B1

5

server restarts. Typically, a server would assign each record a new identification number every time the media management system **200** restarted. However, persistent identification numbers would remain the same for as long as the record is available.

The playlist records **220** contain information about each playlist available in the music database **205**. Further, the information for a given playlist can include the identification numbers for each of the songs within the playlist. Playlists are collections of media that may or may not be in any particular order. Users may choose to combine media by genre, mood, artists, audience, or any other meaningful arrangement. While the playlists **220** on the server **110** will usually only include media contained in its own music database **205**, there is no reason the playlist records **220** cannot include media or playlists stored on other servers. However, certain non-standard content codes may need to be used, depending upon the implementation of the server-side media management system **200**.

FIG. **3** is a block diagram illustrating an organizational structure of a client-side media management system **300** on one of the clients **115**. The client-side media management system **300** includes a media manager **305**. The media manager **305** interacts with the media manager **210** of the server-side media management system **200** through the network **105** so as to replicate at least a portion of the music database **205** at the server **110** on the client **115**. When the client-side media management system **300** first starts, it cannot access media on the server **110** because it does not as yet have any information about what media is available.

FIG. **4**A is a representational control flow diagram illustrating one technique that can be used to determine the features of the server-side media management system **200**. Operations performed by the client **115** and the server **110** are represented by corresponding vertical lines **403** and **406**. At **409** the client **115** connects to the network **105** and first becomes aware of the server **110**. The client **115** can use any connection mechanism that allows it to interact with the network **105**. For example, if the client **115** were an iBook™, available from Apple Computer, Inc. of Cupertino, it might use Rendezvous™ networking technology, also available from Apple Computer, Inc. of Cupertino, Calif., in order to automatically configure itself with the network **105**. If the client is not aware of the server **110**, other mechanisms can be used. For example, a user might manually search for the server **110**, or the user might directly enter the address of the server **110**.

Once the client **115** is aware of the server **110**, it can send a SERVER-INFO request to the server **110** at **412**. The SERVER-INFO request is usually used to obtain information from the server prior to attempting any other transactions. If the network **105** uses the TCP/IP protocol, the request could be formatted as an HTTP GET request. The GET request might also allow for additional extensions to be added to the request, enabling, for example, the client **115** to include information about the client-side media management system **300**.

At **415** the server responds to the SERVER-INFO request with information describing a series of features supported by or required by the server. The information might, for example, include information about the server-side media management system **200**, the number of available databases, whether and what login procedures are required, whether updates are supported, whether persistent identification numbers are supported, whether content codes are supported, and the protocol version.

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The information provided to the client **115** at **415** permits the client-side media management system **300** to understand the capabilities of the server **110**. Although the client **115** is able to identify the server **110**, the client **115** does not yet have any information about the available media.

If the client **115** determines that the server **110** responded to the SERVER-INFO request with an indication that content codes are supported at **418**, the client **115** can optionally issue a CONTENT CODE request at **421**. The CONTENT CODE request is one mechanism by which the client **115** can obtain a list of content codes supported by the server **110** and associated string names mapped thereto.

The inclusion of the string name allows multiple developers to use the same codes for their individualized products. For example, one developer may assign the code "16000" to a feature that allows users to purchase corresponding albums over the network; while another developer may assign the same code to feature that provides users with the lyrics of songs that are being listened to. By allowing a string name to be included, the client **115** can determine whether it can support the content code. Uniqueness of the string name can, for example, be ensured by including the developer's URL as part of the string name.

At **424** the server **110** responds to the CONTENT CODE request the codes and their associated string names. At **427**, the client **115** can simply ignore the code/string pairs that it does not recognize. Otherwise, for those code/string pairs that the client **115** does recognize, the client **115** will associate the code with the associated string name.

At **430** the client **115** logs into the server **110**. The login procedure might require a user name (or account name) and password so the user

Once logged in, the

server-side media

formed by the client

by corresponding

client **115** can issue a

can be used to retriev

the server **110**. The

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given playlist, or the

The query might be

items returned in the

items, based on the specified criteria. For example, a query could request: songs in a database after a given year; playlists that contain a certain word in their name; songs in a database that do not contain a given word in their name; or some combination thereof.

After processing the SERVER-DATABASE request at **436**, the server **110** issues a response at **439**. If no index

The playlist records **220** contain information about each playlist available in the music database **205**. Further, the information for a given playlist can include the identification numbers for each of the songs within the playlist. Playlists are collections of media that may or may not be in any particular order. Users may choose to combine media by genre, mood, artists, audience, or any other meaningful arrangement.

(Apple Patent, Ex. 1020, 5:6-13)

Claim Construction – Playlist

Broadest Reasonable Construction Consistent with the Specification

"A list of audio files"

’952 Patent – Unpatentability Based on Berman

The Board’s Description of Berman is Correct

A. Grounds Based on Berman (Ex. 1012)

1. Overview of Berman

Berman is directed to a playback unit that retrieves audio data from a remote server and plays songs that have been selected by the user. Ex. 1012, Abstract. An embodiment of Berman’s playback unit is depicted in Figure 1, which is reproduced below.

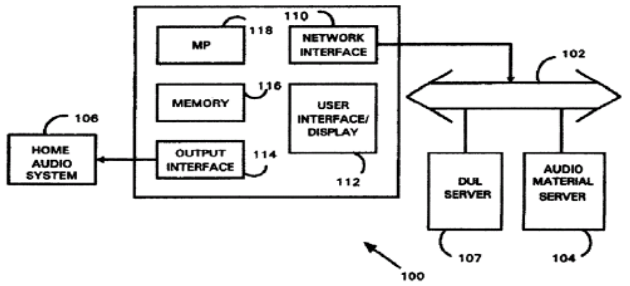

FIG. 1

Figure 1 is a block diagram of Berman’s playback unit 100. Ex. 1012, 4:17-19. Playback unit 100 receives audio material from audio material server 104, and access rights to this material are controlled by directory and user list (“DUL”) server 107. *Id.* at 4:51-53, 4:63-65. Playback unit 100 includes network interface 110 that facilitates communication with the servers over the Internet. *Id.* at 5:11-14. Memory 116 temporarily stores audio for playback and processing. *Id.* at 6:6-8. In certain embodiments, the user may be permitted to record a song to memory. *Id.* at 8:4-6.

The operation of the playback unit is illustrated in Figures 3 and 4, which are reproduced below:

15 (IPR2013-00593, Paper 22, pp. 15-16) 16

’952 Patent – Unpatentability Based on Berman

The Board’s Description of Berman is Correct

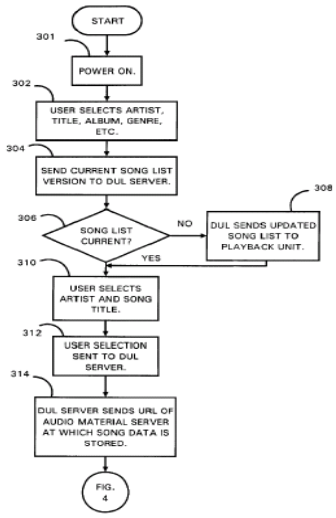

FIG. 3

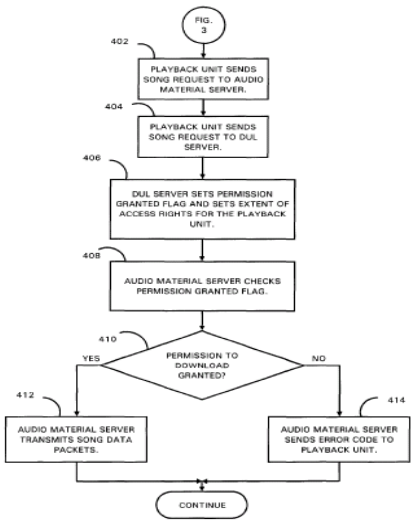

FIG. 4

Figures 3 and 4 are processing flow diagrams depicting the steps executed to request and receive audio material. Ex. 1012, 4:22-25. At step 302, the user selects a music category or type of song. *Id.* at 6:64-7:4. The playback unit then contacts the DUL server to confirm that the playback unit’s song list is up to date. *Id.* at 7:4-6, Fig. 3 (step 304). If the song list is not up to date, the DUL server will send an updated song list to the device. *Id.* at 7:14-19, Fig. 3 (steps 306 and 308). The user selects a song from the song list. *Id.* at 7:22-24. The DUL server then sends playback unit 100 the network address or URL for the requested song. *Id.* at 7:30-41. Playback unit 100 then uses that URL to obtain the requested sound file or streaming audio from the appropriate audio material server. Ex. 1012, 7:41-45, 8:32-34, Fig. 4 (steps 402 and 412).

[17] (IPR2013-00593, Paper 22, pp. 17-18) [18]

’952 Patent – Unpatentability Based on Berman

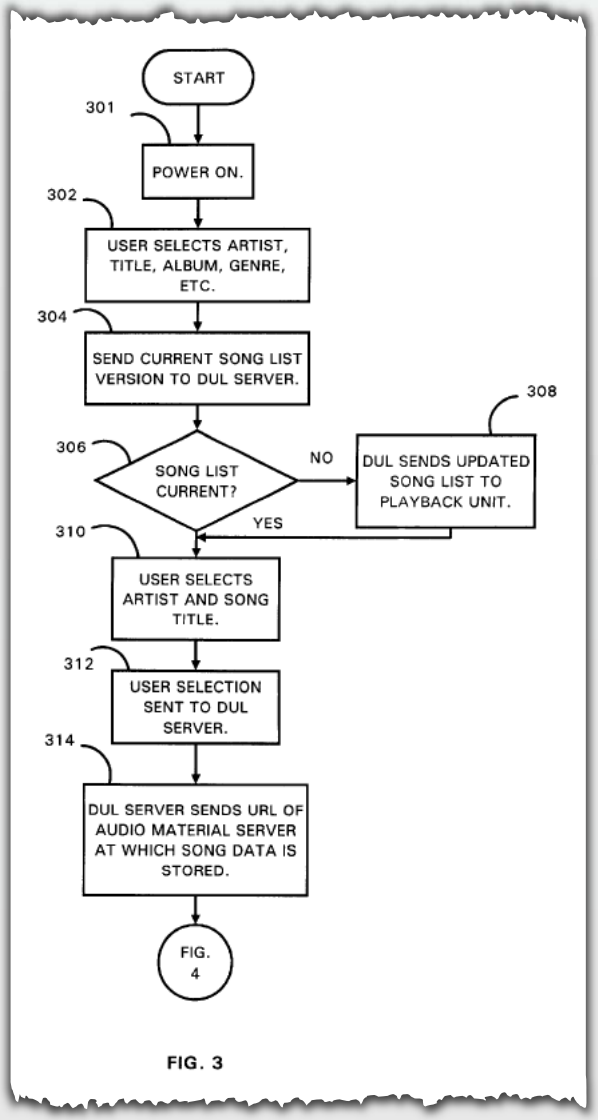

FIG. 3

(Ex. 1012, FIG. 3)

Playback Unit Operating Steps

FIG. **3** is a flow diagram of the processing steps executed by the microprocessor **118** of FIG. **1**, and illustrates the processing carried out by the playback unit **100** in response to user commands. An initial step, as represented by the flow diagram box numbered **301**, occurs when electrical power is applied to the playback unit. As noted above, the operation of the playback unit is sufficiently simple so that no operating system loaded from peripheral storage is required, therefore, there is no boot sequence, and the user cannot alter system operation of the playback unit. As a result, upon the application of electrical power, the playback unit **100** is immediately operational.

In the first operational step, represented by the flow diagram box numbered **302**, the user selects a music category or type of song desired for playback from a list.

(Ex. 1012, 6:50-66)

’952 Patent – Unpatentability Based on Berman

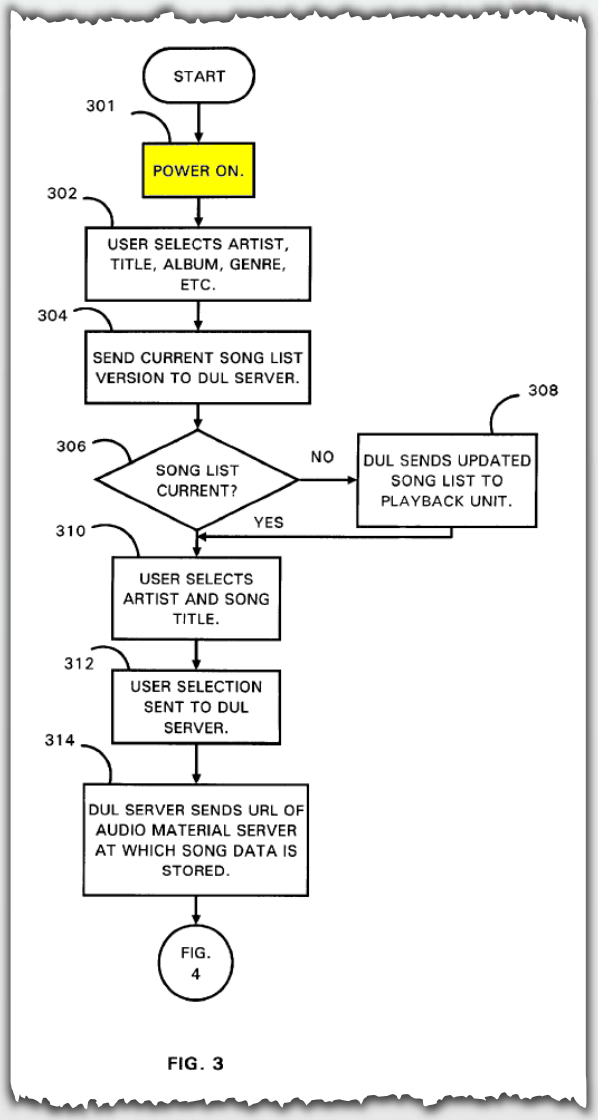

FIG. 3

(Ex. 1012, FIG. 3)

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In the first operational step, represented by the flow diagram box numbered **302**, the user selects a music category or type of song desired for playback from a list.

(Ex. 1012, 6:55-57)

’952 Patent – Unpatentability Based on Berman

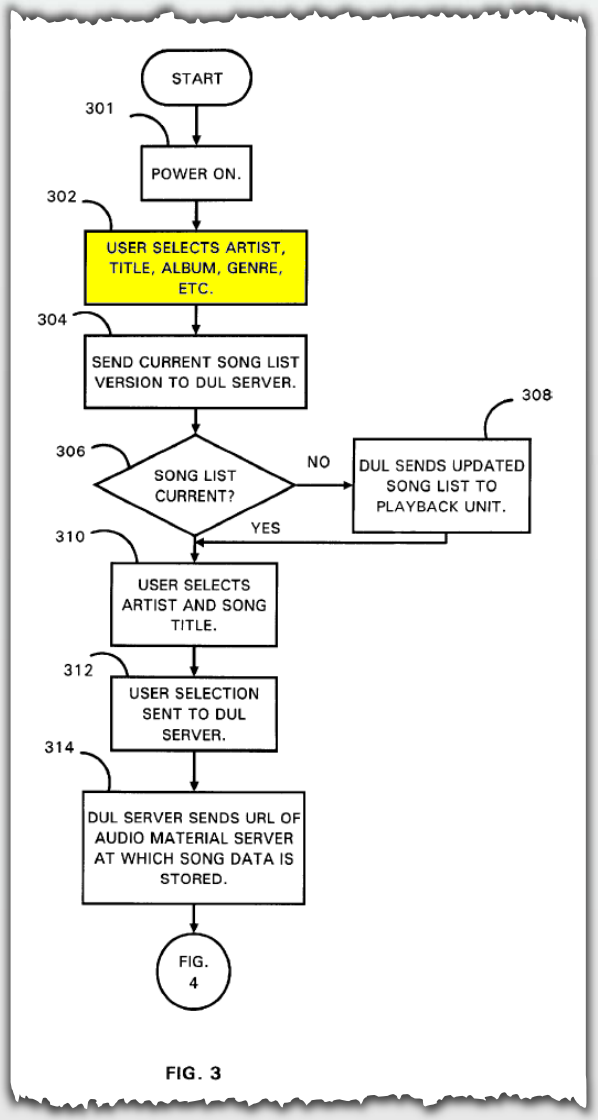

FIG. 3

(Ex. 1012, FIG. 3)

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In the first operational step, represented by the flow diagram box numbered **302**, the user selects a music category or type of song desired for playback from a list.

(Ex. 1012, 6:64-66)

’952 Patent – Unpatentability Based on Berman

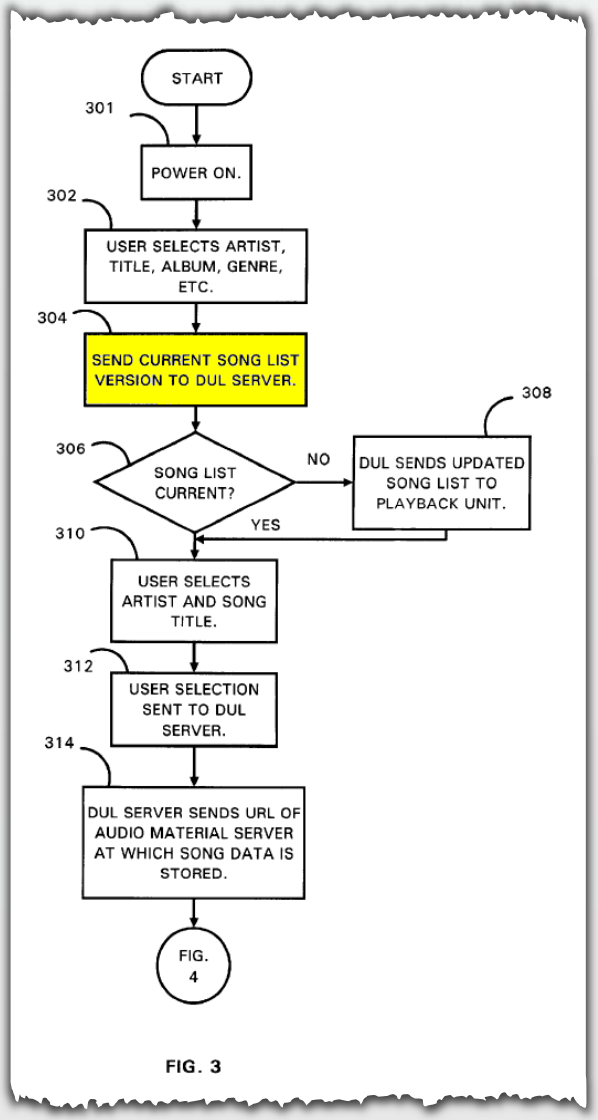

FIG. 3

(Ex. 1012, FIG. 3)

In addition, the user may limit search results by confining the query to specific, user-defined categories. The generated list appears on the display area of the user interface. In the next step, the playback unit sends the version of the current song list to the directory and user list (DUL) server **107**, shown in FIG. **1**. During this step, the DUL server also can perform user list checks and authorization confirmation, if desired. In this way, the DUL server acts as a “gatekeeper” to ensure that only appropriate users are being granted access to the audio material, thereby ensuring commercial music interests and artists have desired control over distribution.

(Ex. 1012, 7:4-6)

’952 Patent – Unpatentability Based on Berman

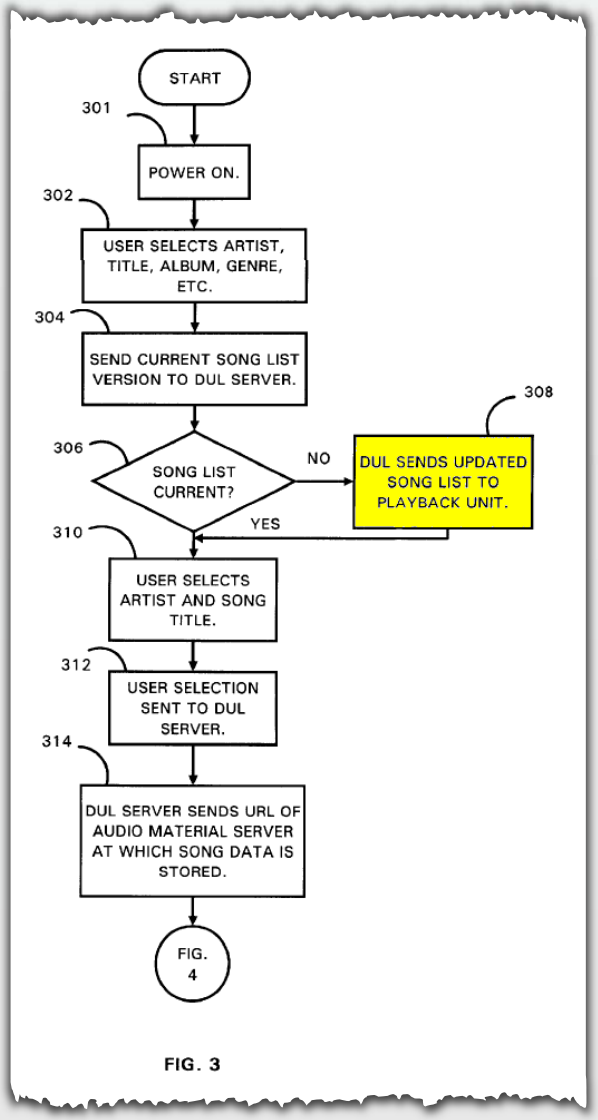

FIG. 3

(Ex. 1012, FIG. 3)

At the decision box numbered **306**, the DUTL server checks to determine if the received song list is current. If the song list is not current, a negative outcome at the decision box **306**, then a new song list is available and the server sends back an updated song list, as represented by the flow diagram box numbered **308**. If the playback unit song list is already current, an affirmative outcome at the decision box **306**, then no song list data transmission from the DUL server is needed. With a confirmed current song list, the user is now permitted to select a track from among those available in a selection menu.

(Ex. 1012, 7:17-19)

’952 Patent – Unpatentability Based on Berman

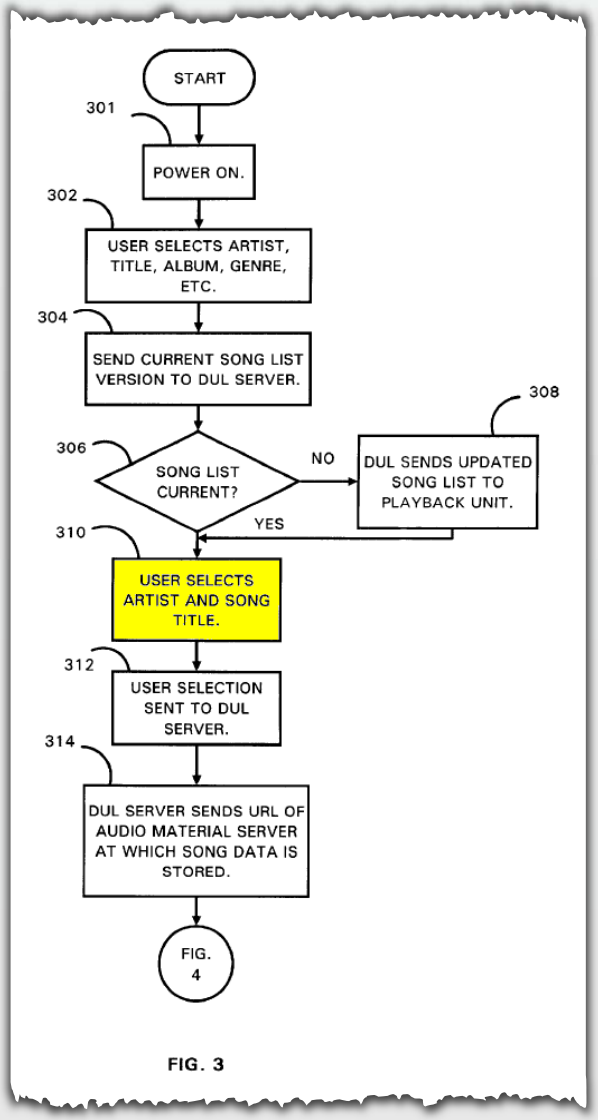

FIG. 3

(Ex. 1012, FIG. 3)

At the decision box numbered **306**, the DUTL server checks to determine if the received song list is current. If the song list is not current, a negative outcome at the decision box **306**, then a new song list is available and the server sends back an updated song list, as represented by the flow diagram box numbered **308**. If the playback unit song list is already current, an affirmative outcome at the decision box **306**, then no song list data transmission from the DUL server is needed. With a confirmed current song list, the user is now permitted to select a track from among those available in a selection menu.

(Ex. 1012, 7:22-24)

’952 Patent – Unpatentability Based on Berman

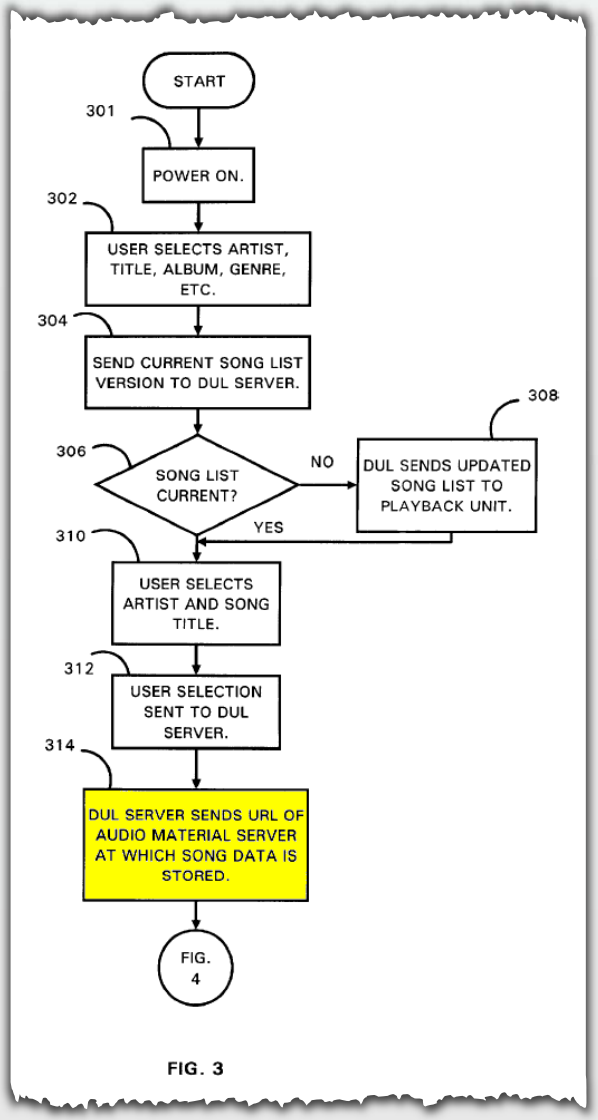

FIG. 3

(Ex. 1012, FIG. 3)

The operation of a user making an artist and song selection is represented by the flow diagram box numbered **310**. At the next step, represented by the flow diagram box numbered **312**, the playback unit sends the user-requested song title information to the DUL server. The DUL server returns the network address for the requested song. This step is represented by the flow diagram box numbered **314**. The playback unit is now ready to retrieve audio material from the network. The flow diagram for these operations continues in FIG. **4**.

(Ex. 1012, 7:33-37)

’952 Patent – Unpatentability Based on Berman

- Mr. Zatkovich is wrong
  - A “song list” is not “simply a catalog of all available songs to which the user has rights.” (Ex. 2012, ¶ 102)

’952 Patent – Unpatentability Based on Berman

- Mr. Zatkovich is wrong
  - A “song list” is not “simply a catalog of all available songs to which the user has rights.” (Ex. 2012, ¶ 102)
  - It is apparent from FIG. 3 and corresponding description that “song list” is for a *selected music category*.

’952 Patent – Unpatentability Based on Berman

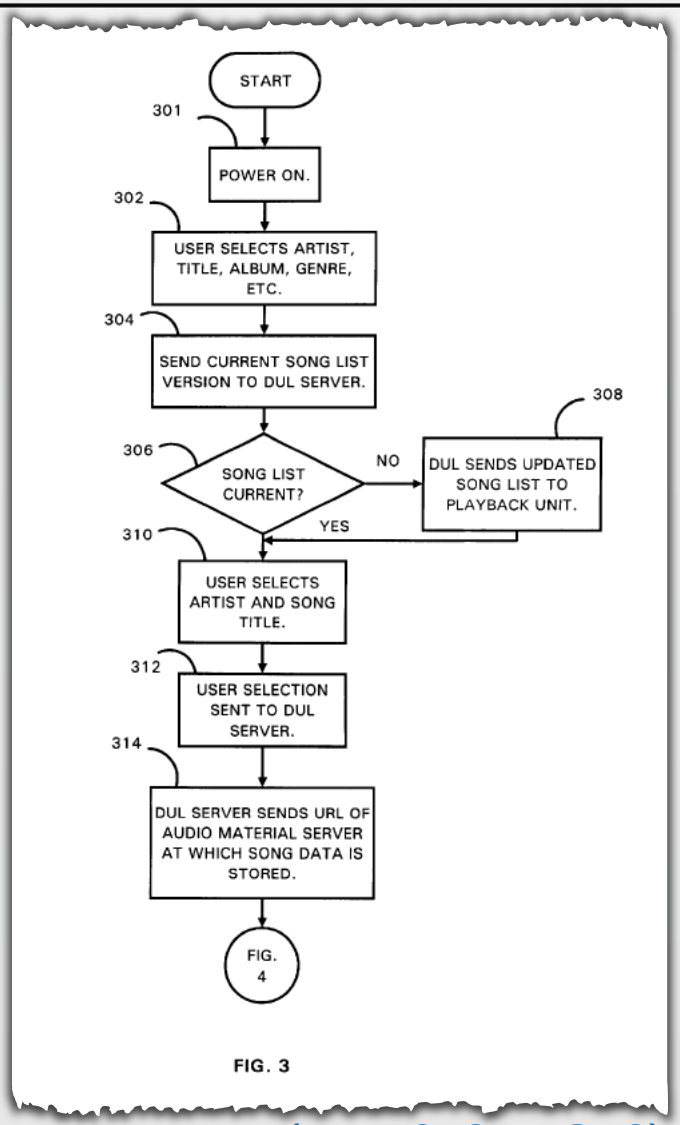

FIG. 3

(Ex. 1012, FIG. 3)

Playback Unit Operating Steps

FIG. **3** is a flow diagram of the processing steps executed by the microprocessor **118** of FIG. **1**, and illustrates the processing carried out by the playback unit **100** in response to user commands. An initial step, as represented by the flow diagram box numbered **301**, occurs when electrical power is applied to the playback unit. As noted above, the operation of the playback unit is sufficiently simple so that no operating system loaded from peripheral storage is required, therefore, there is no boot sequence, and the user cannot alter system operation of the playback unit. As a result, upon the application of electrical power, the playback unit **100** is immediately operational.

In the first operational step, represented by the flow diagram box numbered **302**, the user selects a music category or type of song desired for playback from a list. This list may include categories such as the artist, the song title,

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the album, and musical genres. In addition, the user may limit search results by confining the query to specific, user-defined categories. The generated list appears on the display area of the user interface. In the next step, the playback unit sends the version of the current song list to the directory and user list (DUL) server **107**, shown in FIG. **1**. During this step, the DUL server also can perform user list checks and authorization confirmation, if desired. In this way, the DUL server acts as a “gatekeeper” to ensure that only appropriate users are being granted access to the audio material, thereby ensuring commercial music interests and artists have desired control over distribution. The flow diagram box numbered **304** represents this operational step.

(Ex. 1012, 6:50-7:13)

’952 Patent – Unpatentability Based on Berman

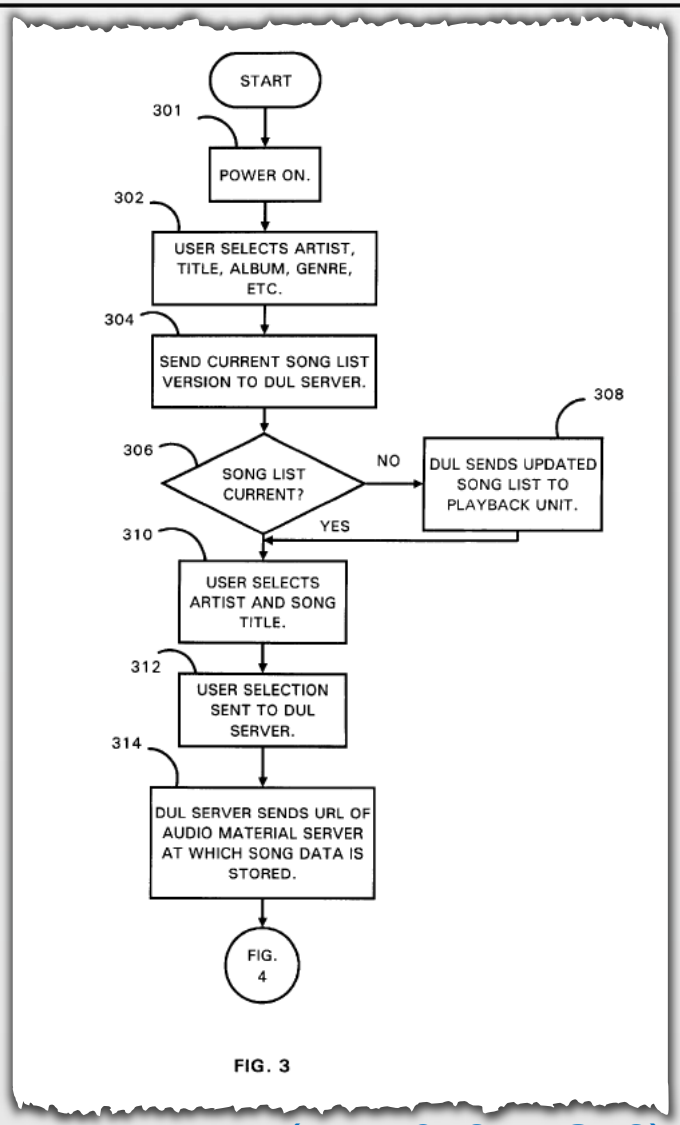

FIG. 3

(Ex. 1012, FIG. 3)

At the decision box numbered **306**, the DUTL server checks to determine if the received song list is current. If the song list is not current, a negative outcome at the decision box **306**, then a new song list is available and the server sends back an updated song list, as represented by the flow diagram box numbered **308**. If the playback unit song list is already current, an affirmative outcome at the decision box **306**, then no song list data transmission from the DUL server is needed. With a confirmed current song list, the user is now permitted to select a track from among those available in a selection menu. The selection menus are displayed, for example, on the display area of the interface illustrated in FIG. **2**. The user may need to scroll up and down the displayed selection menu list. Tracks can be selected by artist, genre, disc name, or a number of other factors. The operation of a user making an artist and song selection is represented by the flow diagram box numbered **310**. At the next step, represented by the flow diagram box numbered **312**, the playback unit sends the user-requested song title information to the DUL server. The DUL server returns the network address for the requested song. This step is represented by the flow diagram box numbered **314**. The playback unit is now ready to retrieve audio material from the network. The flow diagram for these operations continues in FIG. **4**.

(Ex. 1012, 7:14-7:38)

’952 Patent – Unpatentability Based on Berman

Berman Claim 15

15. A method of operating a playback apparatus that receives digital audio material from a network server and provides it to a home audio system for playback, comprising the steps of:

selecting an available music category through a user interface supported by an operating system that is stored in memory of the playback apparatus;

sending a current song list version for the selected music category to a network server and receiving an updated song list if the current song list is in need of updating;

...

...

(Ex. 1012, Claim 15)

’952 Patent – Unpatentability Based on Berman

Berman Claim 15

15. A method of operating a playback apparatus that receives digital audio material from a network server and provides it to a home audio system for playback, comprising the steps of:

selecting an available music category through a user interface supported by an operating system that is stored in memory of the playback apparatus;

sending a current song list version for the selected music category to a network server and receiving an updated song list if the current song list is in need of updating;

...

...

(Ex. 1012, Claim 15)

’952 Patent – Unpatentability Based on Berman

Berman Claim 15

15. A method of operating a playback apparatus that receives digital audio material from a network server and provides it to a home audio system for playback, comprising the steps of:

selecting an available music category through a user interface supported by an operating system that is stored in memory of the playback apparatus;

sending a current song list version for the selected music category to a network server and receiving an updated song list if the current song list is in need of updating;

...

...

(Ex. 1012, Claim 15)

’952 Patent – Unpatentability Based on Berman

Berman Anticipates Claim 9

9. A method comprising:
receiving, at an electronic device, a playlist assigned to the electronic device, the playlist identifying a plurality of songs, wherein ones of the plurality of songs are not stored on the electronic device;
receiving, at the electronic device, information enabling the electronic device to obtain the ones of the plurality of songs from at least one remote source; and
obtaining the ones of the plurality of songs from the at least one remote source.

(’952 Patent, Claim 9)

’952 Patent – Unpatentability Based on Berman

Berman Anticipates Claim 9

9. A method comprising:

receiving, at an electronic device, a playlist assigned to the electronic device, the playlist identifying a plurality of songs, wherein ones of the plurality of songs are not stored on the electronic device;

receiving, at the electronic device, information enabling the electronic device to obtain the ones of the plurality of songs from at least one remote source; and

obtaining the ones of the plurality of songs from the at least one remote source.

(’952 Patent, Claim 9)

’952 Patent – Unpatentability Based on Berman

Berman Anticipates Claim 9

9. A method comprising:

receiving, at an electronic device, a playlist assigned to the electronic device, the playlist identifying a plurality of songs, wherein ones of the plurality of songs are not stored on the electronic device;

receiving, at the electronic device, information enabling the electronic device to obtain the ones of the plurality of songs from at least one remote source; and

obtaining the ones of the plurality of songs from the at least one remote source.

(’952 Patent, Claim 9)

’952 Patent – Unpatentability Based on Berman

Berman Anticipates Claim 9

9. A method comprising:

receiving, at an electronic device, a playlist assigned to the electronic device, the playlist identifying a plurality of songs, wherein ones of the plurality of songs are not stored on the electronic device;

receiving, at the electronic device, information enabling the electronic device to obtain the ones of the plurality of songs from at least one remote source; and

obtaining the ones of the plurality of songs from the at least one remote source.

(’952 Patent, Claim 9)

’952 Patent – Unpatentability Based on Berman

- Berman Anticipates Claims 10 and 14 and Renders Claim 13 Obvious
- No Separate Argument Made

Accordingly, Patent Owner respectfully requests that the Board confirm the patentability of claim 9 with respect to Berman. The material distinctions discussed above between claim 9 and Berman apply equally to dependent claims 10 and 14. Since the dependent claims are missing at least the material limitations of the claim from which they depend, for the same reasons, Berman also does not detract from the patentability of claims 10 and 14.

VII. BERMAN DOES NOT RENDER OBVIOUS 13

The Petitioner has failed to prove by a preponderance of the evidence the anticipation of claim 9, from which claim 13 depends. The material distinctions discussed above between independent claim 9 and Berman apply equally to dependent claim 13. Since the claim 13 is missing at least the material limitations of the claims from which they depend, for the same reasons, Berman does negate the patentability of claims 13, either.

(IPR2013-00593, Paper 34, p. 40)

’652 Patent – Unpatentability Based on Qureshey and Berman

1. An electronic device comprising:

a) a network interface enabling the electronic device to receive an Internet radio broadcast and being further adapted to communicatively couple the electronic device to a central system;

b) a system enabling playback of audio content from a playlist assigned to the electronic device via the central system; and

c) a control system associated with the network interface and the system enabling playback of the audio content indicated by the playlist, and adapted to:

i) enable a user of the electronic device to select a desired mode of operation from a plurality of modes of operation comprising an Internet radio mode of operation and a playlist mode of operation;

ii) receive and play the Internet radio broadcast when the desired mode of operation is the Internet radio mode of operation; and

iii) when the desired mode of operation is the playlist mode of operation:

receive the playlist assigned to the electronic device from the central system, the playlist identifying a plurality of songs, wherein ones of the plurality of songs are not stored on the electronic device;

receive information from the central system enabling the electronic device to obtain the ones of the plurality of songs from at least one remote source;

obtain the ones of the plurality of songs from the at least one remote source; and

play the audio content indicated by the playlist.

(’652 Patent, Claim 1)

’652 Patent – Unpatentability Based on Qureshey and Berman

Institution Decision

Petitioner persuasively argues that an ordinarily skilled artisan "would have easily recognized that the Internet radio receiver of Qureshey could have been improved by including the audio on demand features of Berman." *Id.* Dr. Bove supports Petitioner's argument by opining that at the time of the invention of the ’652 Patent, such an artisan would have been aware of PCs that access both Internet radio and audio on demand and would have understood that adding audio on demand to an Internet radio device "would, for the most part, only involve modifying the user interface software to allow selecting between the functions, and programming additional server addresses into the system." Ex. 1002 ¶ 22. In addition, Petitioner asserts that Qureshey's radio accepts input from a number of different audio sources, so it would be logical for a person of ordinary skill in the art to add Berman's on demand audio as an additional audio source. Pet. 31; *see also* Ex. 1011, 5:11-12 (listing "'AM' radio, 'FM' radio, 'Web' radio, 'Cassette', and 'External' input" as audio sources).

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(IPR2013-00594, Paper 17, p. 26)

’652 Patent – Unpatentability Based on Qureshey and Berman

- Patent Owner provides no argument that it would not have been obvious to combine Qureshey and Berman

’952 Patent – Unpatentability Based on Wolff

The Board’s Description of Wolff is Correct

B. Asserted Anticipation Ground Based on Wolff (Ex. 1014)

1. Overview of Wolff

Wolff is directed to a system and method for organizing and retrieving multimedia objects. Ex. 1014, Abstract. A remote controller is provided

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that allows users to retrieve media objects including “Moving Picture Expert Group (MPEG) video[], MPEG audio Layer-3 (MP3), music compact discs (CD), etc.” *Id.* at 3:19-25. In one embodiment, the remote controller is a PDA that allows users to select remotely media objects from a network access appliance (“NAA”). *Id.* at 3:25-30. The remote controller sends one or more URLs or media items to the NAA, and the NAA plays each item in order. *Id.* at 3:61-64. The user may create a playlist containing a plurality of songs and upload that playlist from the remote controller to the server and the NAA. *Id.* at 8:16-33. In addition, a remote controller can send a playlist to another remote controller or another user. *Id.* at 8:59-63. The NAA may have memory to store media, but if the media is not stored in memory, the NAA will retrieve the requested selection from a server. *Id.* at 3:34-41, 5:28-32. Wolff’s system may include a plurality of NAAs and servers. *Id.* at Fig. 1. Each user of the remote controller has a personalized server to keep track of all services associated with the remote controller. *Id.* at 4:40-43. The personalized server may keep a copy of each media item, or the media objects may be located at different sites in the network. *Id.* at 4:51-53, 4:62-64.

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(IPR2013-00593, Paper 22, pp. 21-22)

’952 Patent – Unpatentability Based on Wolff

(12) **United States Patent**
Wolff et al.

(10) **Patent No.: US 7,472,353 B1**
(45) **Date of Patent: Dec. 30, 2008**

(54) **REMOTE CONSOLE FOR NETWORK APPLICATION SERVERS**

(75) Inventors: **Gregory J. Wolff**, Mountain View, CA (US); **Marko Balabanovic**, London (GB)

(73) Assignee: **Ricoh Co., Ltd.**, Tokyo (JP)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 520 days.

(21) Appl. No.: **09/629,781**

(22) Filed: **Jul. 31, 2000**

Related U.S. Application Data

(63) Continuation-in-part of application No. 09/465,982, filed on Dec. 16, 1999.

(51) **Int. Cl.**
G06F 3/00 (2006.01)
G06F 15/16 (2006.01)

(52) **U.S. Cl.** **715/764**; 715/716; 715/733; 715/810; 715/835; 715/764; 715/205; 707/10; 709/219

(58) **Field of Classification Search** 345/838, 345/727, 728, 764, 704, 716, 719; 707/9, 707/10; 709/201, 203, 216–219; 715/704, 715/716–719, 727, 733, 738, 741, 764, 835, 715/838, 846, 978, 728, 205, 968, 810
See application file for complete search history.

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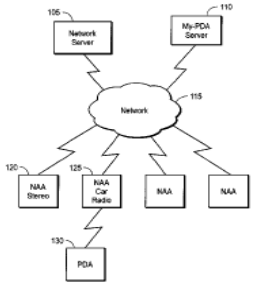
(Continued)

Primary Examiner—X. L Bautista
(74) *Attorney, Agent, or Firm*—Blakely, Sokoloff, Taylor & Zafman LLP

(57) **ABSTRACT**

A method and system that organize and retrieve multimedia objects. A controller may select an identifier associated with a media object to send a request to play the media object. The controller may send the request by transmitting the identifier stored in the controller. An appliance receives the request from the controller. The appliance retrieves the media object from a first server via a network connection when the media object is not stored in the appliance. Then the appliance may play the media object.

36 Claims, 8 Drawing Sheets



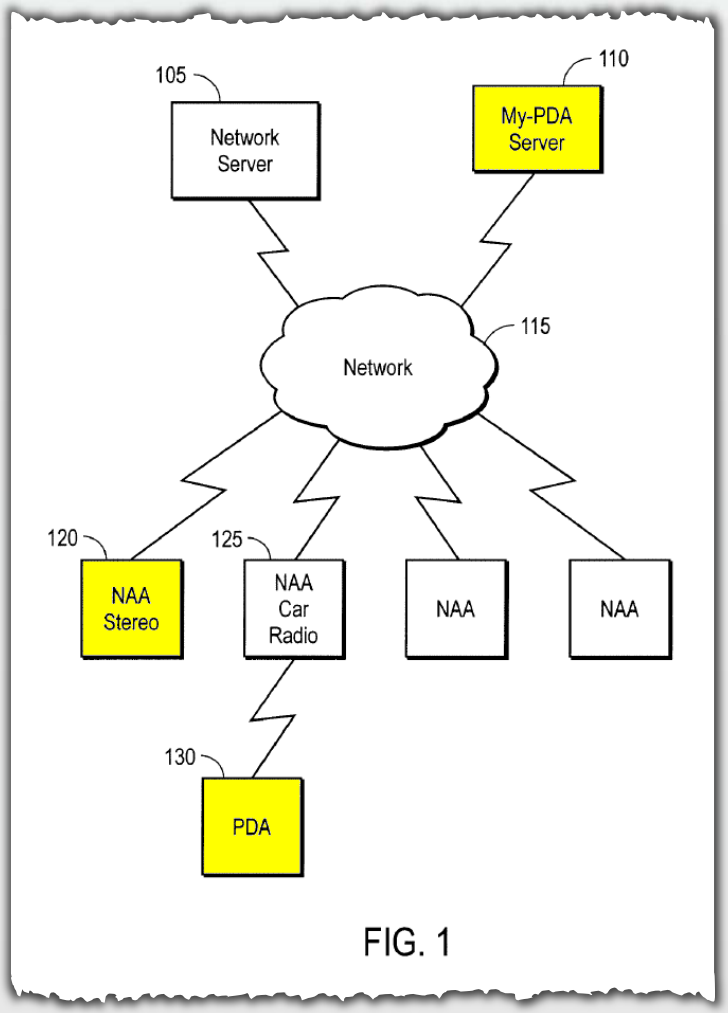


FIG. 1

(Ex. 1014, FIG. 1)

’952 Patent – Unpatentability Based on Wolff

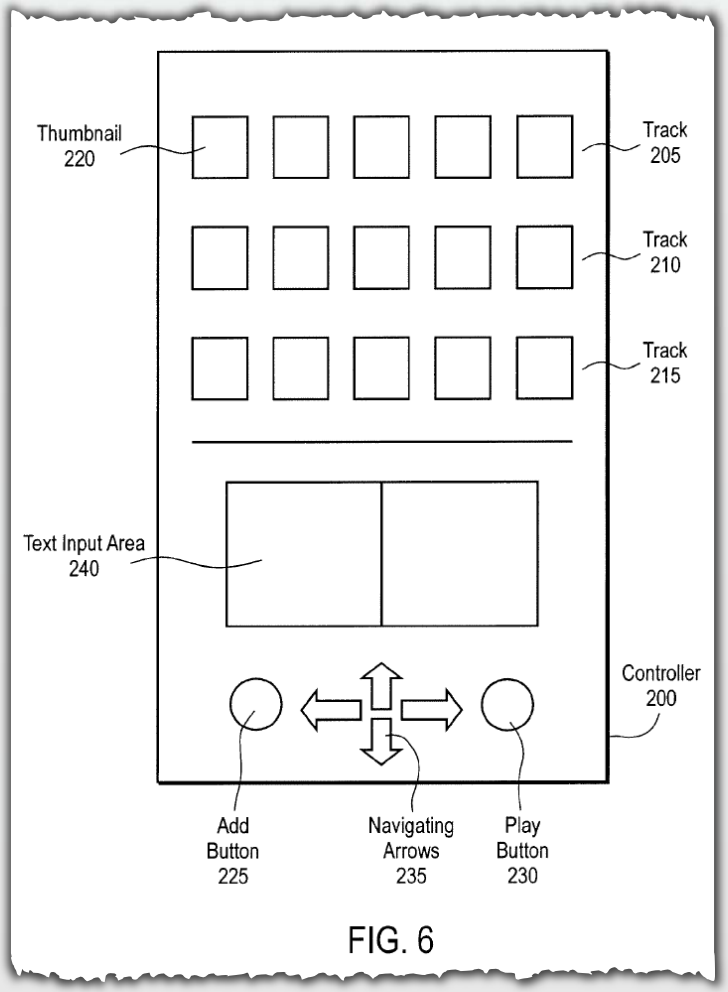


FIG. 6

The exemplary remote controller **200** has three tracks **205**, **210** and **215** to allow the user to organize the media objects (thumbnail images). This provides the user an easy way to organize the media objects by the track. For example, the media objects displayed on the first track **205** may be a scrollable list with all the media objects that are known to the remote controller **200**. The user can select one of the media objects **220** on any track using the navigation controls. In one embodiment, the third track **215** is used as a working track. For example, the user can create a play list containing the user favorite songs by selecting music media objects from the first track **205** and add them to the third track **215**. When the user is satisfied with the play list, the user can move the play list to the second track **210**. In one embodiment, each thumbnail image on the second track **210** represents a play list created by the user.

When the remote controller is synchronized with the personalized server **110**, the play list is updated in the personalized server **110** and the indicated media objects may eventually be accessed and cached by the appropriate NAA. In one embodiment, the synchronization is done periodically such as, for example, every 24 hours. This capability allows the user to easily find and select individual media objects or entire play lists on the remote controller and request an NAA to play them. When the NAA has cached the media objects (by examining stored play lists) the user will not have to wait for any downloads from the network server.

(Ex. 1014, 8:7-33)

Additionally, the remote controller **200** may also include the ability to communicate with other remote controllers to exchange or share media objects. For example, the user of the remote controller may send a favorite play list to another user.

(Ex. 1014, 8:59-63)

’952 Patent – Unpatentability Based on Wolff

Wolff Anticipates Claim 9

9. A method comprising:
receiving, at an electronic device, a playlist assigned to the electronic device, the playlist identifying a plurality of songs, wherein ones of the plurality of songs are not stored on the electronic device;
receiving, at the electronic device, information enabling the electronic device to obtain the ones of the plurality of songs from at least one remote source; and
obtaining the ones of the plurality of songs from the at least one remote source.

(’952 Patent, Claim 9)

’952 Patent – Unpatentability Based on Wolff

Wolff Anticipates Claim 9

9. A method comprising:

receiving, at an electronic device, a playlist assigned to the electronic device, the playlist identifying a plurality of songs, wherein ones of the plurality of songs are not stored on the electronic device;

receiving, at the electronic device, information enabling the electronic device to obtain the ones of the plurality of songs from at least one remote source; and

obtaining the ones of the plurality of songs from the at least one remote source.

(’952 Patent, Claim 9)

’952 Patent – Unpatentability Based on Wolff

Wolff Anticipates Claim 9

9. A method comprising:

receiving, at an electronic device, a playlist assigned to the electronic device, the playlist identifying a plurality of songs, wherein ones of the plurality of songs are not stored on the electronic device;

receiving, at the electronic device, information enabling the electronic device to obtain the ones of the plurality of songs from at least one remote source; and

obtaining the ones of the plurality of songs from the at least one remote source.

(’952 Patent, Claim 9)

’952 Patent – Unpatentability Based on Wolff

Wolff Anticipates Claim 9

9. A method comprising:

receiving, at an electronic device, a playlist assigned to the electronic device, the playlist identifying a plurality of songs, wherein ones of the plurality of songs are not stored on the electronic device;

receiving, at the electronic device, information enabling the electronic device to obtain the ones of the plurality of songs from at least one remote source; and

obtaining the ones of the plurality of songs from the at least one remote source.

(’952 Patent, Claim 9)

’652 Patent – Unpatentability Based on White

The Board’s Description of White is Correct

A. Asserted Obviousness Ground Based on White (Ex. 1014)

1. Overview of White

White is directed to a system and method for communicating selected information to an electronic device. Ex. 1014 ¶ Abstract. Selected information includes “audio information such as songs, on-line radio stations, on-line broadcasts, streaming audio, or other selectable information.” *Id.* at 3:59-61. White discloses “allow[ing] a radio listener to

create a personal playlist and to listen to this playlist in a wireless atmosphere while enjoying CD quality sound.” *Id.* at 2:7-10.

White’s Figure 4 is reproduced below:

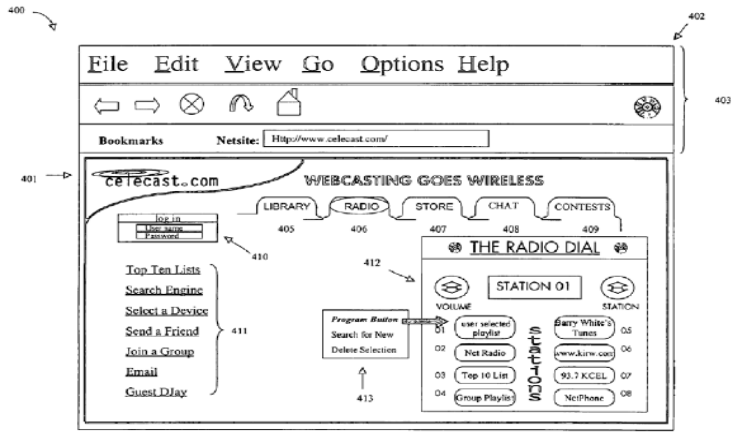


Figure 4 shows graphical user interface 400 for displaying selectable audio information. *Id.* at 11:6-15. Interface 400 may be displayed as a web page. *Id.* This interface allows users to view radio dial 412 or “a current playlist selected by the user or the status of [a] wirelessly communicated playlist.” Ex. 1014, 11:26-33. Programming interface 413 is used to specify items to be displayed by radio dial 412. *Id.* at 12:29-30. These items may include Internet and broadcast radio stations or playlists. *Id.* at 12:30-36.

Figure 8 is reproduced below:

14 (IPR2013-00594, Paper 17, pp. 14-15) 15

’652 Patent – Unpatentability Based on White

The Board’s Description of White is Correct

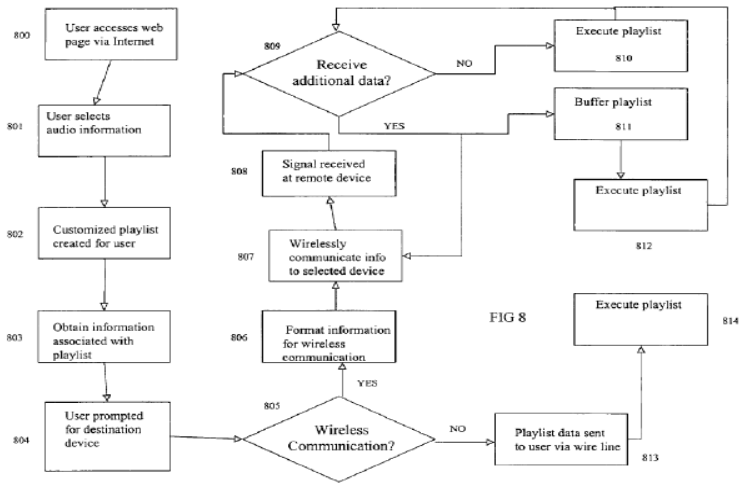


FIG 8

Figure 8 depicts a method for providing selected audio information to an electronic device. Ex. 1014, 3:40-42. At step 800, the user accesses a web page such as the home page shown in Figure 4. *Id.* at 15:64-67. Then at step 801, the user selects “a single song, a plurality [of] different songs, an entire album, a broadcast station, streaming audio, etc. or other selectable audio information.” *Id.* at 16:3-6. A playlist is created at step 802 reflecting the user’s audio selections. *Id.* at 16:6-9. In certain embodiments, the playlist may be composed of songs selected by a friend or group of friends. *Id.* at 17:56-18:19. A list of information is compiled at step 803 including information associated with the playlist, such as network or URL locations for the selected audio information. *Id.* at 16:12-14. At step 804, the user then selects a device such as “a[n] automobile audio system, a home stereo system, a home computer, an electronic device coupled to a home network

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or computer system, etc.[,] or other locations or devices operable to receive the selected audio information.” Ex. 1014, 16:24-28. The playlist and associated information are communicated to the electronic device via a wired or wireless connection. *Id.* at 16:35-45. Once the information is communicated to the electronic device, the user may execute the playlist. *Id.* at 17:7-18.

White’s electronic device “may be integrated into an audio component such as a radio receiver” or “coupled to a home audio system, a portable radio system or other system thereby providing a versatile electronic device operable to receive wirelessly communicated selected audio information.” *Id.* at 9:53-57, 10:38-42. In certain embodiments, White’s electronic device may be coupled to an optical disc player such as a CD player or “storage medium 303 such as a high speed buffer, programmable memory, or other devices operable to store information.” *Id.* at 18:46-50, 8:46-52; 8:67-9:5.

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(IPR2013-00594, Paper 17, pp. 16-17)

’652 Patent – Unpatentability Based on White

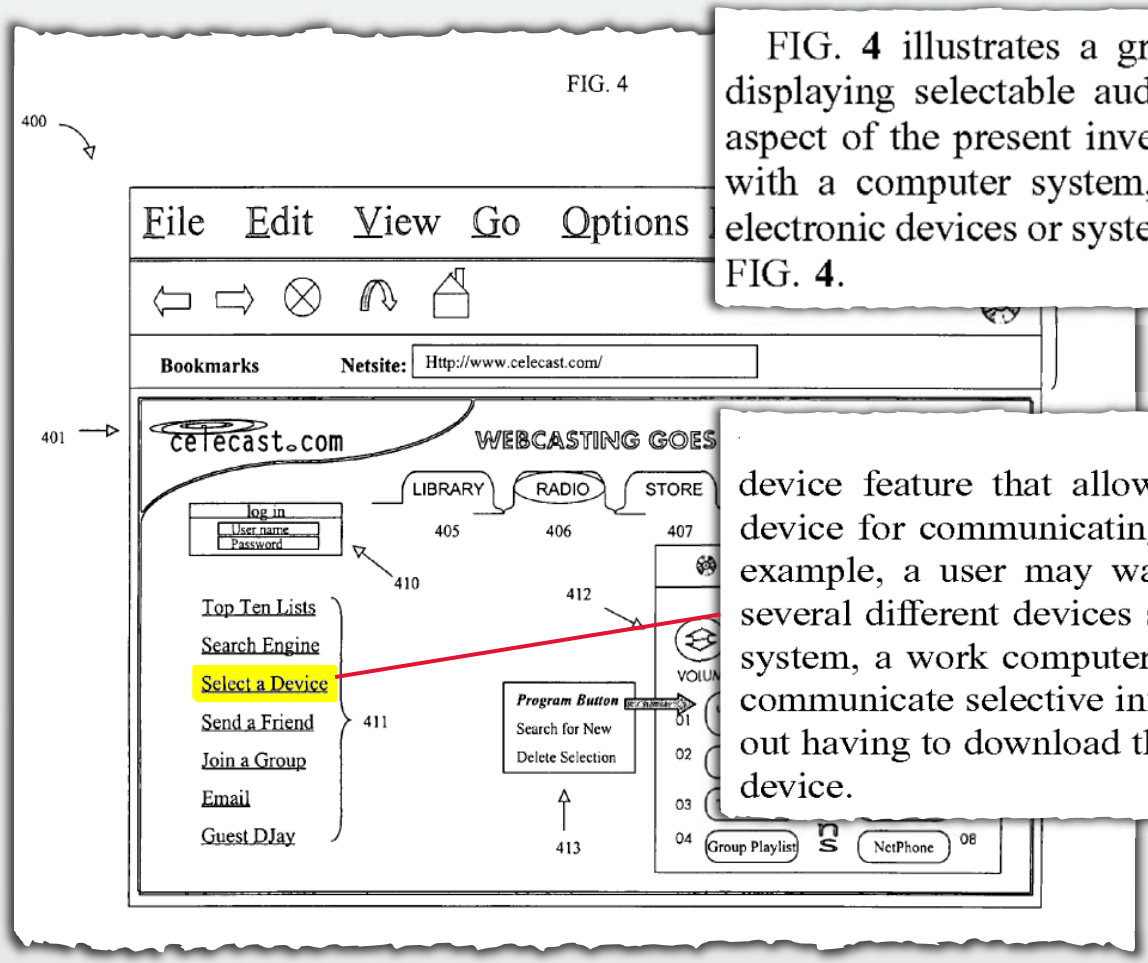

FIG. **4** illustrates a graphical user interface (GUI) for displaying selectable audio information according to one aspect of the present invention. The GUI may be operable with a computer system, cellular device, PDA, or other electronic devices or systems operable to display the GUI of FIG. **4**.

(Ex. 1014, 11:6-11)

A user may also use a select a device feature that allows a user to select a destination device for communicating selected audio information. For example, a user may want to communicate a playlist to several different devices such as a PDA, a home computer system, a work computer system, etc. As such, a user can communicate selective information to several devices without having to download the information separately for each device.

(Ex. 1014, 11:66-12:7)

(IPR2013-00594, Ex. 1014, FIG. 4)

’652 Patent – Unpatentability Based on White

FIG. **8** illustrates a flow diagram of a method for providing selected audio information to an electronic device according to one embodiment of the present invention; and

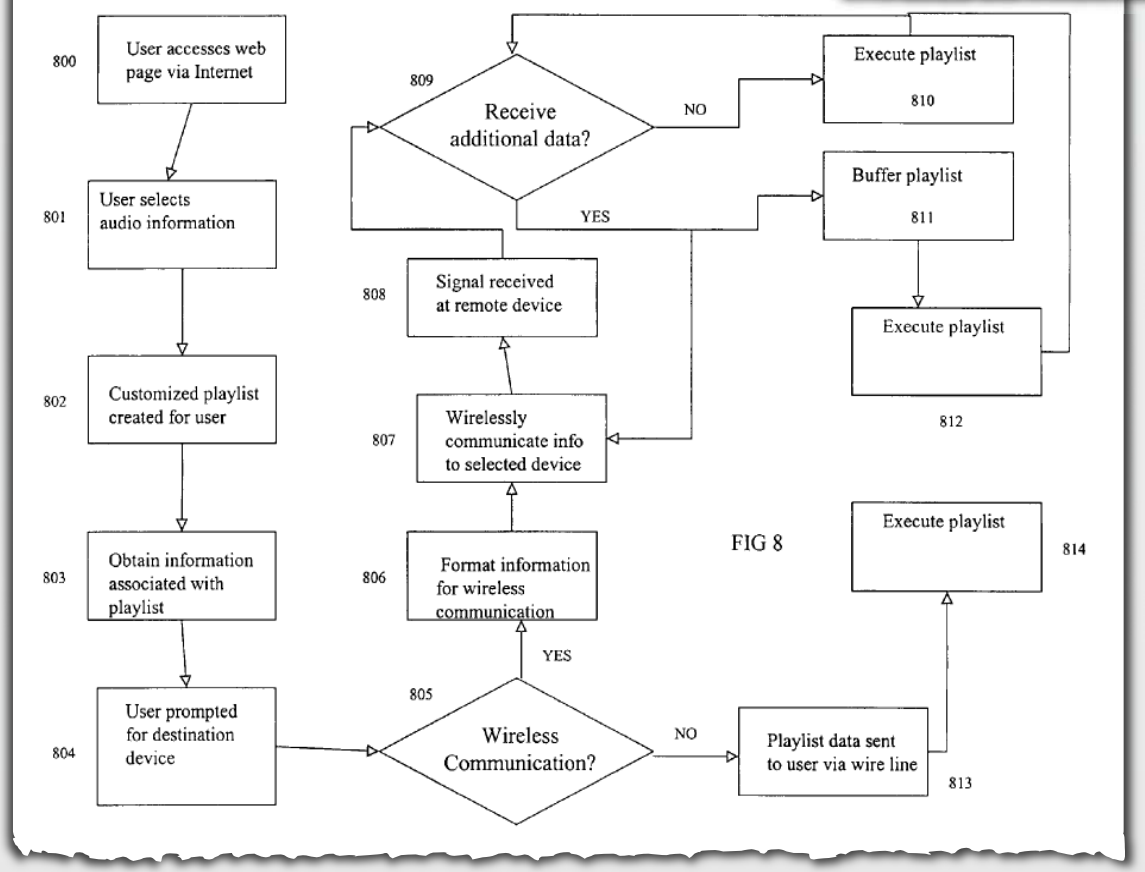

FIG 8

(Ex. 1014, 3:40-42)

(IPR2013-00594, Ex. 1014, FIG. 8)

’652 Patent – Unpatentability Based on White

FIG. **8** illustrates a flow diagram of a method for providing selected audio information to an electronic device according to one embodiment of the present invention. The method begins at step **800** where a user accesses a webpage via the Internet. The webpage may be a home page illustrated in FIG. **4** or other web pages operable to display

selectable references to audio information. The method proceeds to step **801** where a user selects desirable audio information. For example, a user may select a single song, a plurality different songs, an entire album, a broadcast station, streaming audio, etc. or other selectable audio information. Upon the user selecting a reference to audio information, the method may proceed to step **802** where a playlist may be created that represents the user’s selected audio information. The playlist may be variable in size and comprised of a plurality of different types of available audio information. Upon creating a playlist, the method may proceed to step **803** where information associated with the playlist is obtained. For example, a list of network or URL locations comprised of the desirable audio information may be obtained. In this manner, desirable audio information may be obtained from many different sources such as URLs, network addresses, hard drives, databases comprised of audio information, etc. The sources may be accessed to obtain the selected audio information.

Upon obtaining data associated with the customized playlist, the method may proceed to step **804** where the user is prompted for a destination for the playlist. For example, a user may want to communicate the selected audio information to a remote electronic device, a automobile audio system, a home stereo system, a home computer, an electronic device coupled to a home network or computer system, etc. or other locations or devices operable to receive the selected audio information. In one embodiment, a user may select a device owned by a friend to accept the selected audio information. For example, a husband may want to send a romantic playlist to his wife on their anniversary. In this situation, the husband would select his wife’s electronic device as the receiving device for the selected audio information.

Upon selecting a device, the method proceeds to step **805** where the method determines the destination of the selected audio information. If the information is to be sent to a device via a wire line connection, the method proceeds to step **813** where playlist data is sent to a user via a wire line connection. The method may then proceed to step **814** where the playlist is executed at the device. If the information is to be sent to a device requiring wireless communication, the method proceeds to step **806** where the information is formatted for communicating the information to a wireless electronic device. For example, a wireless PDA device may be selected as a destination device for the selected audio information. The PDA device may include an audio player, such as an MP3 player operable to play or execute MP3 audio files. In such an embodiment, the method could format the information such that the information may be wirelessly communicated and subsequently played by the MP3 player.

(Ex. 1014, 15:62-16:51)

’652 Patent – Unpatentability Based on White

During operation, audio information may be selected by a user utilizing a personal computer or other devices operable to communicate with an information network. Digital engine **102** is operable to maintain information associated with the selected audio information. For example, the information could be several songs or titles configured as an audio file and formatted in a digital format such as an MP3 file, wave file, etc. The maintained information may also be a reference to a network location where an audio file may be stored, a network location where a network broadcast of audio information may be located, etc. or other network locations having information associated with the selected audio information. Therefore, digital engine **101** may maintain a plurality of different types of information or data associated with the selected audio information. System **100**, utilizing communication engine **102**, may wirelessly communicate data or information associated with the selected audio information to electronic device **103** thereby providing wireless communication of selected information to an electronic device operable to receive wireless communications.

(Ex. 1014, 4:42-62)

Upon the user selecting the audio information, the method proceeds to step **203** where the method maintains information associated with the selected information. In one embodiment, the information may be an audio file, such as a wave file, and MP3 file, etc. representative of the selected audio information. In another embodiment, a network location that comprises a file representing the selected information may be maintained. Another example may include a network location of a network broadcast of audio information. Therefore, the method at step **203** may maintain several different types of information associated with the selected audio information.

Upon maintaining information or data associated with the selected information, the method proceeds to step **204** where the method wirelessly communicates information associated with the selected information to an electronic device. For example, if an audio file associated with the selected audio information was maintained, the method would communicate the audio file to the electronic device. In another embodiment, a link or network address broadcasting the selected audio information may be accessed and, at step **204**, wirelessly communicated to an electronic device. In another embodiment, a combination of different types of audio information may be wirelessly communicated to an electronic device. Upon transmitting the selected audio information, the method proceeds to step **205** where the method ends.

(Ex. 1014, 7:41-67)

Weel Patents

IPR 2013-00597

(12) **United States Patent**
Weel

(10) **Patent No.: US 8,230,099 B2**
(45) **Date of Patent: Jul. 24, 2012**

(54) **SYSTEM AND METHOD FOR SHARING PLAYLISTS**

(75) Inventor: **Martin Weel**, Modjeska, CA (US)

(73) Assignee: **Dryden Enterprises, LLC**, Wilmington, DE (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 705 days.

(21) Appl. No.: **12/114,286**

(22) Filed: **May 2, 2008**

(65) **Prior Publication Data**

US 2008/0208379 A1 Aug. 28, 2008

Related U.S. Application Data

(62) Division of application No. 10/840,110, filed on May 5, 2004.

(51) **Int. Cl.**
G06F 15/16 (2006.01)

(52) **U.S. Cl.** **709/231**; 709/217; 709/218; 709/219

(58) **Field of Classification Search** 709/231, 709/217–219
See application file for complete search history.

(56) **References Cited**

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5,884,282	A *	3/1999	Robinson	705/7.33
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6,526,411	B1	2/2003	Ward	
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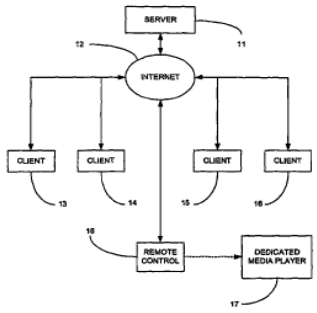
(Continued)

Primary Examiner — Mohamed Wasel
(74) *Attorney, Agent, or Firm* — Withrow & Terranova, PLLC

(57) **ABSTRACT**

A system for sharing playlists utilizes a network, such as the Internet. A player device other than a general purpose computer, such as a dedicated media player or a remote control for a dedicated media player, is in communication with the server over the network. The player device is configured to receive a playlist, queue the playlist, display the playlist, and play a selection from the playlist. A user profile may be used to identify playlists that are likely to contain selections of interest to the user.

12 Claims, 6 Drawing Sheets



IPR 2013-00598

(12) **United States Patent**
Weel

(10) **Patent No.: US 8,214,873 B2**
(45) **Date of Patent: *Jul. 3, 2012**

(54) **METHOD, SYSTEM, AND COMPUTER-READABLE MEDIUM FOR EMPLOYING A FIRST DEVICE TO DIRECT A NETWORKED AUDIO DEVICE TO RENDER A PLAYLIST**

(75) Inventor: **Martin Weel**, Modjeska, CA (US)

(73) Assignee: **Dryden Enterprises, LLC**, Wilmington, DE (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **13/207,113**

(22) Filed: **Aug. 10, 2011**

(65) **Prior Publication Data**

US 2012/0042007 A1 Feb. 16, 2012

Related U.S. Application Data

(63) Continuation of application No. 10/840,109, filed on May 5, 2004, now Pat. No. 8,028,323.

(51) **Int. Cl.**
H04N 7/173 (2011.01)

(52) **U.S. Cl.** **725/141**; 725/133; 725/118; 709/219

(58) **Field of Classification Search** 709/223, 709/203, 231, 206, 204, 219; 725/110, 88, 725/112, 86, 134, 141, 118, 133; 705/27; 348/734; 700/94
See application file for complete search history.

(56) **References Cited**

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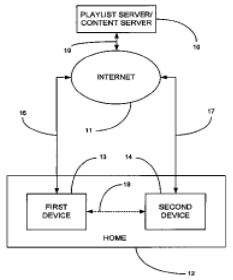
(Continued)

Primary Examiner — Le H Luu
(74) *Attorney, Agent, or Firm* — Withrow & Terranova, PLLC

(57) **ABSTRACT**

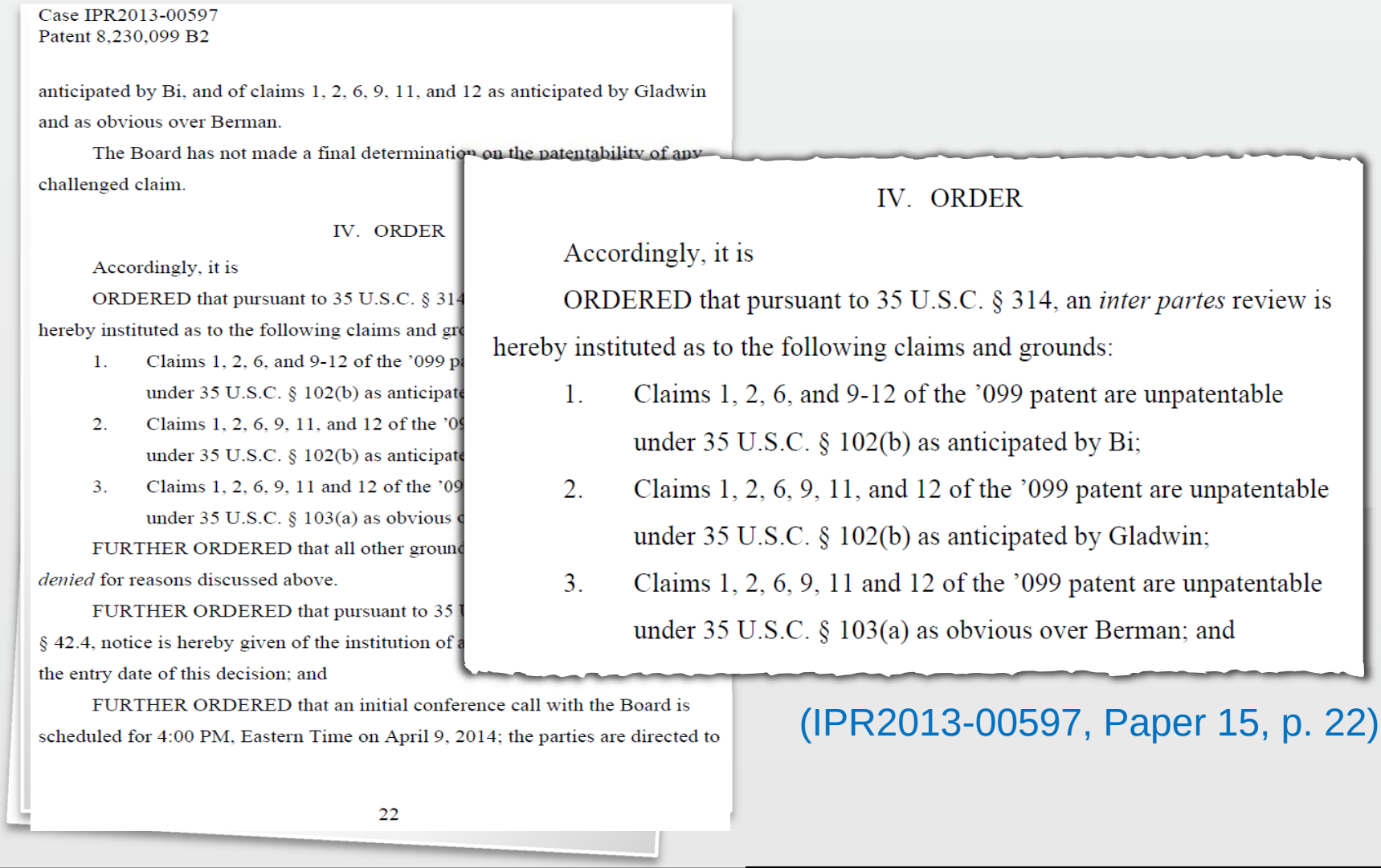
A method for playing music includes displaying a list of playlists names, selecting one of the displayed playlists names, sending at least one attribute of a playlist corresponding to the selected playlist name to a playlist server, receiving a playlist from the playlist server wherein the received playlist corresponds to the attribute(s), selecting at least one song from the received playlist, sending information representative of the selected song to a content server, receiving the selected song from the content server, and playing the selected song(s). Requesting a playlist on the first device based on attributes, sending the same attributes to a second device having the second device request the playlist and start playing.

46 Claims, 8 Drawing Sheets



Grounds of Institution – ’099 Patent

Institution Decision



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Patent 8,230,099 B2

anticipated by Bi, and of claims 1, 2, 6, 9, 11, and 12 as anticipated by Gladwin and as obvious over Berman.

The Board has not made a final determination on the patentability of any challenged claim.

IV. ORDER

Accordingly, it is

ORDERED that pursuant to 35 U.S.C. § 314, an *inter partes* review is hereby instituted as to the following claims and grounds:

1. Claims 1, 2, 6, and 9-12 of the ’099 patent are unpatentable under 35 U.S.C. § 102(b) as anticipated by Bi;
2. Claims 1, 2, 6, 9, 11, and 12 of the ’099 patent are unpatentable under 35 U.S.C. § 102(b) as anticipated by Gladwin;
3. Claims 1, 2, 6, 9, 11 and 12 of the ’099 patent are unpatentable under 35 U.S.C. § 103(a) as obvious over Berman; and

FURTHER ORDERED that all other grounds are *denied* for reasons discussed above.

FURTHER ORDERED that pursuant to 35 U.S.C. § 42.4, notice is hereby given of the institution of a trial commencing on the entry date of this decision; and

FURTHER ORDERED that an initial conference call with the Board is scheduled for 4:00 PM, Eastern Time on April 9, 2014; the parties are directed to

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(IPR2013-00597, Paper 15, p. 22)

’099 Patent

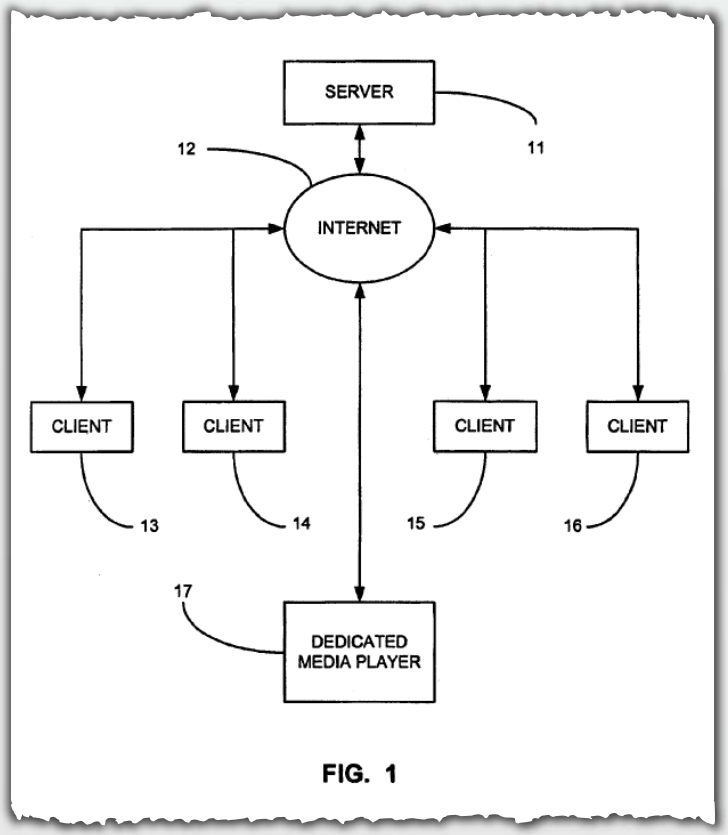


FIG. 1

(’099 Patent, FIG. 1)

According to one aspect of the present invention, playlists are communicated via the network to a dedicated media player **17** and the dedicated media player **17** is not a general purpose computer. According to another aspect of the present invention, the media player **17** may be a general purpose computer and playlist are obtained by matching user profiles, as discussed in detail below.

After the playlist has been communicated to the dedicated media player **17**, the playlist may be displayed thereon and thus used to choose which selection therefrom is to be played.

(’099 Patent, 8:58-67)

Optionally, playlists that were communicated to the dedicated media player **17** (as shown in FIG. **1**) may be further communicated to a remote control therefore. This communication may be from the dedicated media player **17** or from any other source (such as from the server **11** via the Internet **12**).

(’099 Patent, 9:9-13)

’099 Patent

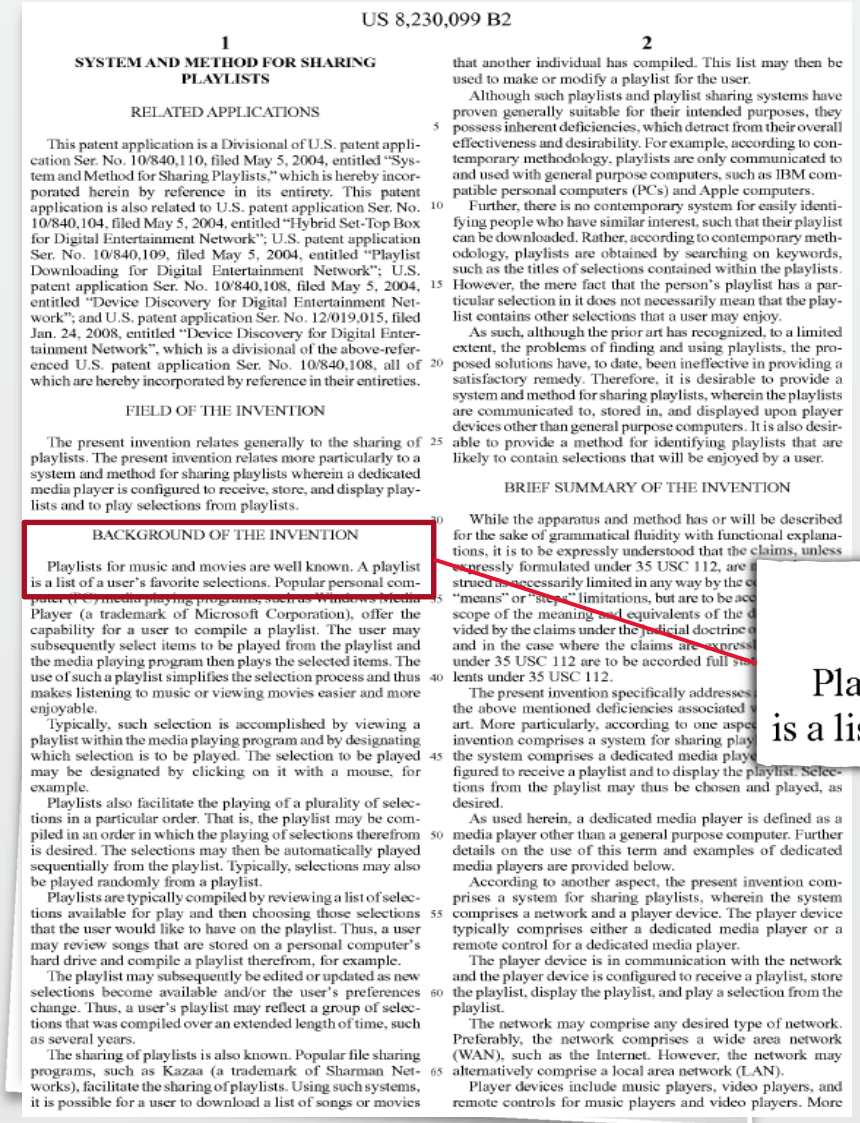
11. A method comprising:
receiving, at a media player device, a playlist from a remote source; and
communicating the playlist from the media player device to a wireless handheld remote control associated with and separate from the media player device, wherein, at the wireless handheld remote control, the playlist is presented to a first user associated with the wireless handheld remote control and used by the first user to select at least one item from the playlist for playback by the media player device.

(’099 Patent, Claim 11)

12. A media player device comprising:
a communication interface communicatively coupling the media player device to a remote source via a network; and
a control system associated with the communication interface and adapted to:
receive a playlist from the remote source; and
communicate the playlist from the media player device to a wireless handheld remote control which is associated with and separate from the media player device, wherein, at the wireless handheld remote control, the playlist is presented to a first user associated with the wireless handheld remote control and used by the first user to select at least one item from the playlist for playback by the media player device.

(’099 Patent, Claim 12)

’099 Patent Claim Construction – Playlist



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1

SYSTEM AND METHOD FOR SHARING PLAYLISTS

RELATED APPLICATIONS

This patent application is a Divisional of U.S. patent application Ser. No. 10/840,110, filed May 5, 2004, entitled “System and Method for Sharing Playlists,” which is hereby incorporated herein by reference in its entirety. This patent application is also related to U.S. patent application Ser. No. 10/840,104, filed May 5, 2004, entitled “Hybrid Set-Top Box for Digital Entertainment Network”; U.S. patent application Ser. No. 10/840,109, filed May 5, 2004, entitled “Playlist Downloading for Digital Entertainment Network”; U.S. patent application Ser. No. 10/840,108, filed May 5, 2004, entitled “Device Discovery for Digital Entertainment Network”; and U.S. patent application Ser. No. 12/019,015, filed Jan. 24, 2008, entitled “Device Discovery for Digital Entertainment Network”, which is a divisional of the above-referenced U.S. patent application Ser. No. 10/840,108, all of which are hereby incorporated by reference in their entireties.

FIELD OF THE INVENTION

The present invention relates generally to the sharing of playlists. The present invention relates more particularly to a system and method for sharing playlists wherein a dedicated media player is configured to receive, store, and display playlists and to play selections from playlists.

BACKGROUND OF THE INVENTION

Playlists for music and movies are well known. A playlist is a list of a user’s favorite selections. Popular personal computer (PC) media playing programs, such as Windows Media Player (a trademark of Microsoft Corporation), offer the capability for a user to compile a playlist. The user may subsequently select items to be played from the playlist and the media playing program then plays the selected items. The use of such a playlist simplifies the selection process and thus makes listening to music or viewing movies easier and more enjoyable.

Typically, such selection is accomplished by viewing a playlist within the media playing program and by designating which selection is to be played. The selection to be played may be designated by clicking on it with a mouse, for example.

Playlists also facilitate the playing of a plurality of selections in a particular order. That is, the playlist may be compiled in an order in which the playing of selections therefrom is desired. The selections may then be automatically played sequentially from the playlist. Typically, selections may also be played randomly from a playlist.

Playlists are typically compiled by reviewing a list of selections available for play and then choosing those selections that the user would like to have on the playlist. Thus, a user may review songs that are stored on a personal computer’s hard drive and compile a playlist therefrom, for example.

The playlist may subsequently be edited or updated as new selections become available and/or the user’s preferences change. Thus, a user’s playlist may reflect a group of selections that was compiled over an extended length of time, such as several years.

The sharing of playlists is also known. Popular file sharing programs, such as Kazaa (a trademark of Sharman Networks), facilitate the sharing of playlists. Using such systems, it is possible for a user to download a list of songs or movies

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that another individual has compiled. This list may then be used to make or modify a playlist for the user.

Although such playlists and playlist sharing systems have proven generally suitable for their intended purposes, they possess inherent deficiencies, which detract from their overall effectiveness and desirability. For example, according to contemporary methodology, playlists are only communicated to and used with general purpose computers, such as IBM compatible personal computers (PCs) and Apple computers.

Further, there is no contemporary system for easily identifying people who have similar interest, such that their playlist can be downloaded. Rather, according to contemporary methodology, playlists are obtained by searching on keywords, such as the titles of selections contained within the playlists. However, the mere fact that the person’s playlist has a particular selection in it does not necessarily mean that the playlist contains other selections that a user may enjoy.

As such, although the prior art has recognized, to a limited extent, the problems of finding and using playlists, the proposed solutions have, to date, been ineffective in providing a satisfactory remedy. Therefore, it is desirable to provide a system and method for sharing playlists, wherein the playlists are communicated to, stored in, and displayed upon player devices other than general purpose computers. It is also desirable to provide a method for identifying playlists that are likely to contain selections that will be enjoyed by a user.

BRIEF SUMMARY OF THE INVENTION

While the apparatus and method has or will be described for the sake of grammatical fluidity with functional explanations, it is to be expressly understood that the claims, unless expressly formulated under 35 USC 112, are [illegible] construed as necessarily limited in any way by the [illegible] “means” or “step” limitations, but are to be accorded [illegible] scope of the meaning and equivalents of the [illegible] provided by the claims under the judicial doctrine [illegible] and in the case where the claims are expressly [illegible] under 35 USC 112 are to be accorded full statutory equivalents under 35 USC 112.

The present invention specifically addresses and alleviates the above mentioned deficiencies associated with the prior art. More particularly, according to one aspect, the present invention comprises a system for sharing playlists, wherein the system comprises a dedicated media player configured to receive a playlist and to display the playlist. Selections from the playlist may thus be chosen and played, as desired.

As used herein, a dedicated media player is defined as a media player other than a general purpose computer. Further details on the use of this term and examples of dedicated media players are provided below.

According to another aspect, the present invention comprises a system for sharing playlists, wherein the system comprises a network and a player device. The player device typically comprises either a dedicated media player or a remote control for a dedicated media player.

The player device is in communication with the network and the player device is configured to receive a playlist, store the playlist, display the playlist, and play a selection from the playlist.

The network may comprise any desired type of network. Preferably, the network comprises a wide area network (WAN), such as the Internet. However, the network may alternatively comprise a local area network (LAN).

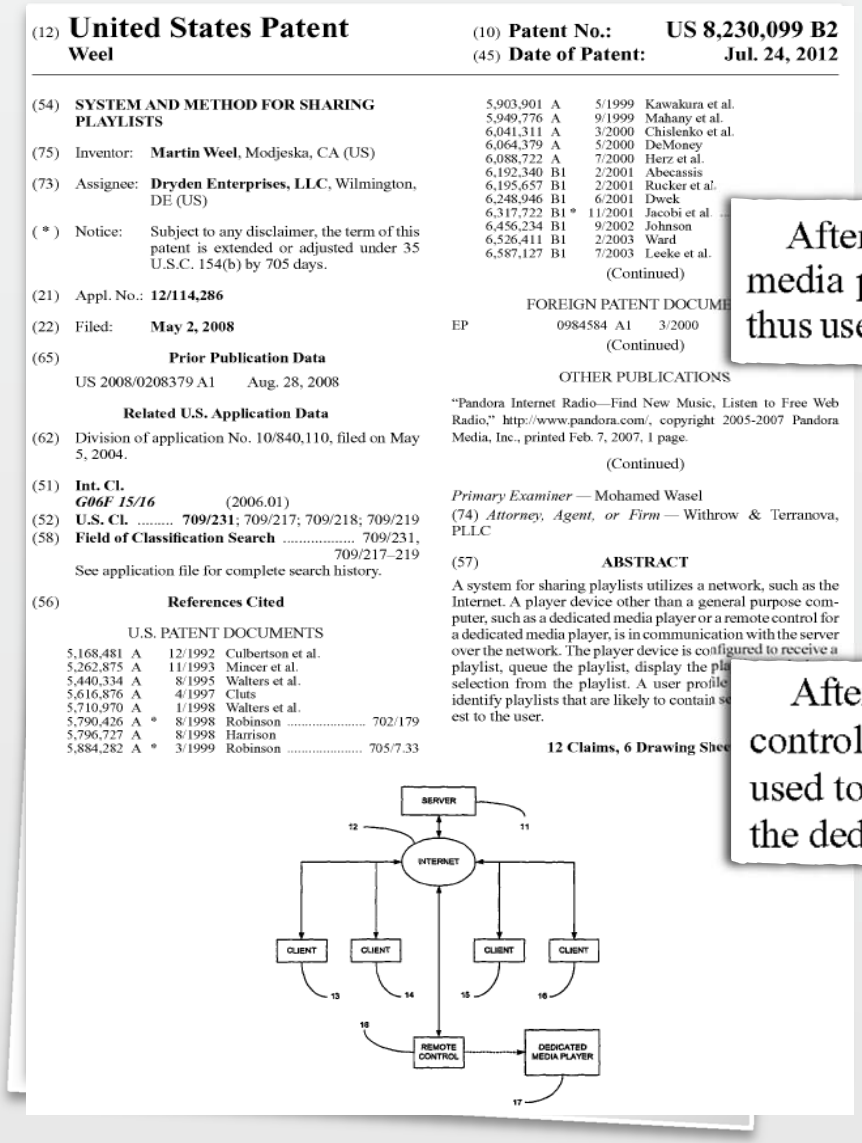
Player devices include music players, video players, and remote controls for music players and video players. More

BACKGROUND OF THE INVENTION

Playlists for music and movies are well known. A playlist is a list of a user’s favorite selections.

(’099 Patent, 1:31-34)

’099 Patent Claim Construction – Playlist



(12) **United States Patent**
Weel

(10) **Patent No.: US 8,230,099 B2**
(45) **Date of Patent: Jul. 24, 2012**

(54) **SYSTEM AND METHOD FOR SHARING PLAYLISTS**

(75) Inventor: **Martin Weel**, Modjeska, CA (US)

(73) Assignee: **Dryden Enterprises, LLC**, Wilmington, DE (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 705 days.

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(22) Filed: **May 2, 2008**

(65) **Prior Publication Data**

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(52) **U.S. Cl.** **709/231**; 709/217; 709/218; 709/219

(58) **Field of Classification Search** 709/231, 709/217–219

See application file for complete search history.

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5,796,727	A	8/1998	Harrison	
5,884,282	A *	3/1999	Robinson	705/7.33
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6,064,379	A	5/2000	DeMoney	
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6,195,657	B1	2/2001	Rucker et al.	
6,248,946	B1	6/2001	Dwek	
6,317,722	B1 *	11/2001	Jacobi et al.	
6,456,234	B1	9/2002	Johnson	
6,526,411	B1	2/2003	Ward	
6,587,127	B1	7/2003	Leeke et al.	

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(Continued)

Primary Examiner — Mohamed Wasel

(74) *Attorney, Agent, or Firm* — Withrow & Terranova, PLLC

(57) **ABSTRACT**

A system for sharing playlists utilizes a network, such as the Internet. A player device other than a general purpose computer, such as a dedicated media player or a remote control for a dedicated media player, is in communication with the server over the network. The player device is configured to receive a playlist, queue the playlist, display the pla selection from the playlist. A user profile identify playlists that are likely to contain s est to the user.

12 Claims, 6 Drawing Shee

After the playlist has been communicated to the dedicated media player **17**, the playlist may be displayed thereon and thus used to choose which selection therefrom is to be played.

(’099 Patent, 8:65-67)

After the playlist has been communicated to the remote control **18**, the playlist may be displayed thereon and thus used to choose which selection therefrom is to be played by the dedicated media player **17**.

(’099 Patent, 9:5-8)

’099 Patent Claim Construction – Playlist

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ware limitations of the player. For example, an MP3 player may not be able to play other formats of audio and may not be able to play the audio tracks of a video selection (such as a movie). Therefore, if such material is included in a playlist, it may automatically be deleted therefrom. Optionally, such deletion may require user approval.

Further, a music player may have limitations that the user desires to be taken into account when a playlist is made or updated. For example, a portable audio player may not be able to adequately reproduce bass sounds. Thus, a user may prefer that a playlist for that device not contain selections for which good base reproduction is considered to be desirable. Therefore, if such material is initially included in a playlist, it may automatically be deleted therefrom. Optionally, such deletion may require user approval.

Further, the present invention may be configured so as to remove selections from a playlist that are not considered by the user to be compatible with the location. That is, some selections may not play well do to ambient acoustics. Further, some selections may not be appropriate for a given location. For example, selections that contain material that is not considered by the user to be suitable for minors may be omitted from a player that is located in a family area.

Either individual selections or categories of selections may be removed from a playlist in the above described manner. Thus, an entire genre may be removed from a playlist, if desired.

Optionally, one or more selections on a playlist may be designated as preferred, so as to indicate that the selections are particularly enjoyable for the user. Indeed, a user's playlist may contain only those selections that have been designated as preferred on the playlists of others.

According to the present invention, playlists may be made and used with a variety of different types of media players. For example, playlists comprising audio selections such as music, speeches, comedy routines, and the like may be made and used with audio players. Similarly, playlists comprising movies, filmstrips, videos, and the like may be made and used with video players.

Indeed, audio playlist may contain video selections and vice-versa. As those skilled in the art will appreciate, in some instances it may be desirable to the play the audio tracks of a movie on an audio player and it may similarly be desirable to play songs (without any accompanying video) on a video player. For example, it may be desirable to play the soundtrack from a movie on an audio player.

The present invention is not limited to audio and video selection. According to the present invention, playlists of games, software applications, or any other desired items or information might similarly be made and used. For example, lists of nightclubs or restaurants that have been enjoyed by others may be obtained by using profiles according to the present invention.

According to another aspect, the present invention comprises a method for managing media content on a network, wherein the method comprises using information about a user's previous playing to define a playlist and communicating the playlist to a player device other than a general purpose computer with which the playlist can be stored, displayed, and selections made for playing therefrom.

According to another aspect, the present invention comprises a method for defining a playlist, wherein the method comprises finding at least one other person with similar tastes and communicating a list of selections played by the other user to a player device other than a general purpose computer.

6

The playlist may be updated by communicating an updated list of selections played by the other ... device.

According to another aspect, the pre... prises a method for defining a playlist fo... method comprises finding at least one oth... lar tastes by matching a profile of the us... other person.

According to another aspect, the pre... prises a data structure comprising a p... method comprising communicating the... device that is not a general purpose com...

According to another aspect, the pre... prises a data structure comprising a p... method comprising defining a user profi... profile to determine selections that may ...

According to another aspect, the pre... prises a computer readable media having ... structure comprising a playlist defined b... ing communicating the playlist to a play... general purpose computer.

According to another aspect, the pre... prises a computer readable media having ... structure comprising a playlist defined b... ing defining a user profile and using the user profile to determine selections that may be enjoyed by a user.

According to another aspect, the present invention comprises a computer readable media having stored thereon a method for defining a playlist, wherein the method comprises communicating the playlist to a player device that is not a general purpose computer.

According to another aspect, the present invention comprises a computer readable media having stored thereon a method for defining a playlist, wherein the method comprises defining a user profile and using the user profile to determine selections that may be enjoyed by a user.

These, as well as other advantages of the ... will be more apparent from the follow... drawings. It is understood that changes ... ture shown and described may be made ... the claims, without departing from the sp...

BRIEF DESCRIPTION OF THE ...

The invention and its various embod... better understood by turning to the ... description of the preferred embodime... sented as illustrated examples of the in... claims. It is expressly understood that the ... by the claims may be broader than the ... ments described below.

FIG. **1** is a block diagram of an ex... sharing playlists according to the present ... a server provides playlist to a dedicated ... wherein the playlists have been obtained ... ers or other devices;

FIG. **2** is a block diagram of another ex... sharing playlists according to the present ... a server provides playlist to a remote control of a dedicated ... media player and wherein the playlists have been obtained ... from client computers or other devices;

FIG. **3** is a flowchart showing an exemplary method for obtaining playlists, such as a method that may be practiced when using the systems of FIG. **1** or FIG. **2**;

According to the present invention, playlists may be made and used with a variety of different types of media players. For example, playlists comprising audio selections such as music, speeches, comedy routines, and the like may be made and used with audio players. Similarly, playlists comprising movies, filmstrips, videos, and the like may be made and used with video players.

(’099 Patent, 5:34-41)

The present invention is not limited to audio and video selection. According to the present invention, playlists of games, software applications, or any other desired items or information might similarly be made and used. For example, lists of nightclubs or restaurants that have been enjoyed by others may be obtained by using profiles according to the present invention.

(’099 Patent, 5:49-55)

’099 Patent Claim Construction – Playlist

11. A method comprising:
receiving, at a media player device, a playlist from a remote source; and
communicating the playlist from the media player device to a wireless handheld remote control associated with and separate from the media player device, wherein, at the wireless handheld remote control, the playlist is presented to a first user associated with the wireless handheld remote control and used by the first user to select at least one item from the playlist for playback by the media player device.

(’099 Patent, Claim 11)

12. A media player device comprising:
a communication interface communicatively coupling the media player device to a remote source via a network; and
a control system associated with the communication interface and adapted to:
receive a playlist from the remote source; and
communicate the playlist from the media player device to a wireless handheld remote control which is associated with and separate from the media player device, wherein, at the wireless handheld remote control, the playlist is presented to a first user associated with the wireless handheld remote control and used by the first user to select at least one item from the playlist for playback by the media player device.

(’099 Patent, Claim 12)

’099 Patent – Unpatentability Based on Gladwin

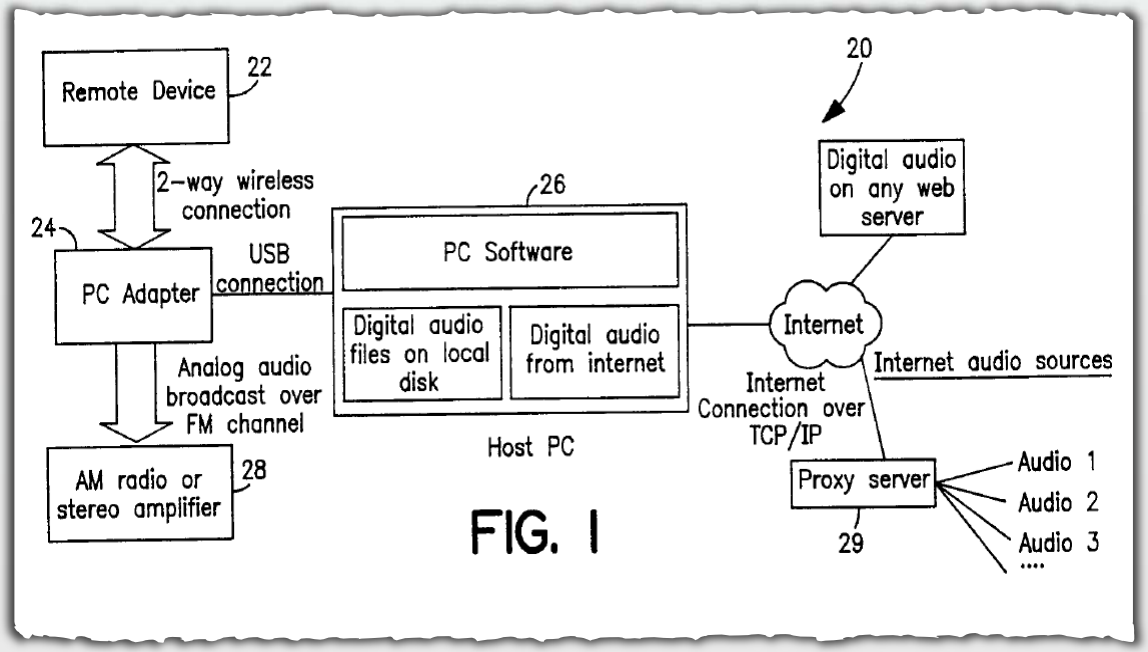


FIG. 1

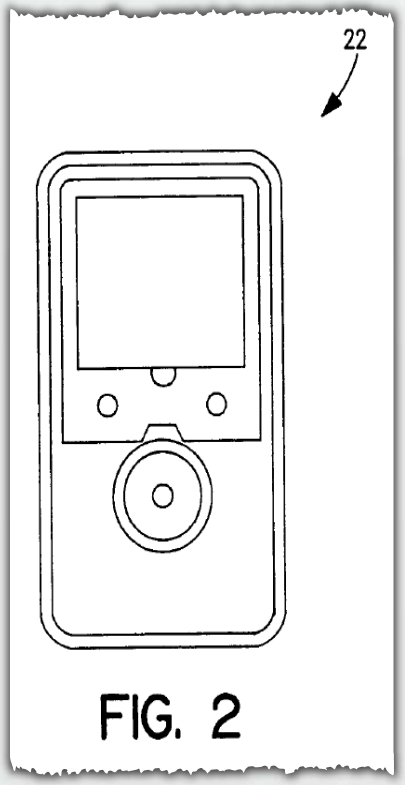


FIG. 2

(IPR2013-00597, Ex. 1009, FIGs. 1 and 2)

’099 Patent – Unpatentability Based on Gladwin

FIG. 5. Also, it bridges 2-way data between remote device 22 and the host PC 26. A block diagram of the PC adapter 24 is illustrated in FIG. 4.

The microcontroller component encodes LCD display data and decodes button, dial and other remote control user inputs.

Proxy Server

The proxy server 29 serves as a digital audio portal site. The proxy server maintains a series of links to available digital audio sources on the Internet and formats information about these sites for display on the remote device 22.

PC Software

The PC software illustrated in FIG. 5 gets digital audio data from audio files on the local disk and/or internet streaming audio data. This data is organized as a play list. The play list is transferred to the remote device 22. The user selects and plays a clip by using the control buttons on the remote device 22. The remote device 22 then sends these commands to PC software which then plays this clip. The playing process is this: the PC software sends the address of the clip to the audio player. The audio player sends data to the USB audio dri[illegible] which writes the audio data to USB. The PC adapter 24 will electronically conv[illegible] analog data and broadcast the data over an unused FM ch[illegible] selectable.

FIG. 6 is a block diagram of the PC softw[illegible] PC 26 and includes a tuner 30, an audio player 32, a rem[illegible] universal serial bus (USB) audio driver 36 and a USB re[illegible] FIGS 7-10 represent flow charts of the devices. A brief [illegible] components is provided below.

Tuner

The tuner software allows the user to sele[illegible] local digital audio files, and internet streaming audio to [illegible]

4

PC Software

The PC software illustrated in FIG. 5 gets digital audio data from audio files on the local disk and/or internet streaming audio data. This data is organized as a play list. The play list is transferred to the remote device 22. The user selects and plays a clip by using the control buttons on the remote device 22. The remote device 22 then sends these commands to PC software which then plays this clip.

(Ex. 1009, p. 4)

’099 Patent – Unpatentability Based on Gladwin

FIG. 5. Also, it bridges 2-way data between remote devi
block diagram of the PC adapter 24 is illustrated in FIG.

The microcontroller component encodes
decodes button, dial and other remote control user inputs

Proxy Server

The proxy server 29 serves as a digital au
server maintains a series of links to available digital audi
and formats information about these sites for display on the remote device 22.

PC Software

The PC software illustrated in FIG. 5 gets digital audio data from audio files on the local disk and/or internet streaming audio data. This data is organized as a play list. The play list is transferred to the remote device 22. The user selects and plays a clip by using the control buttons on the remote device 22. The remote device 22 then sends these commands to PC software which then plays this clip. The playing process is this: the PC software sends the address of the clip to the audio player. The audio player sends data to the USB audio driver which writes the audio data to USB. The PC adapter 24 will electronically converts the digital data into analog data and broadcast the data over an unused FM channel. This channel is selectable.

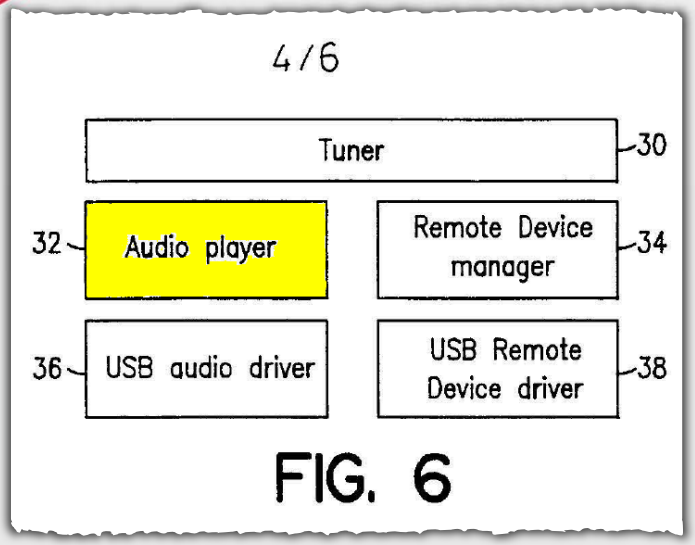
FIG. 6 is a block diagram of the PC software components on the host PC 26 and includes a tuner 30, an audio player 32, a remote device manager 34, universal serial bus (USB) audio driver 36 and a USB remote device driver 38. FIGS 7-10 represent flow charts of the devices. A brief description of the software components is provided below.

Tuner

The tuner software allows the user to select internet radio stations, local digital audio files, and internet streaming audio to create playlists.

FIG. 6 is a block diagram of the PC software components on the host PC 26 and includes a tuner 30, an audio player 32, a remote device manager 34, universal serial bus (USB) audio driver 36 and a USB remote device driver 38. FIGS 7-10 represent flow charts of the devices. A brief description of the software components is provided below.

(Ex. 1009, p. 4)



(Ex. 1009, FIG. 6)

’099 Patent – Unpatentability Based on Bi

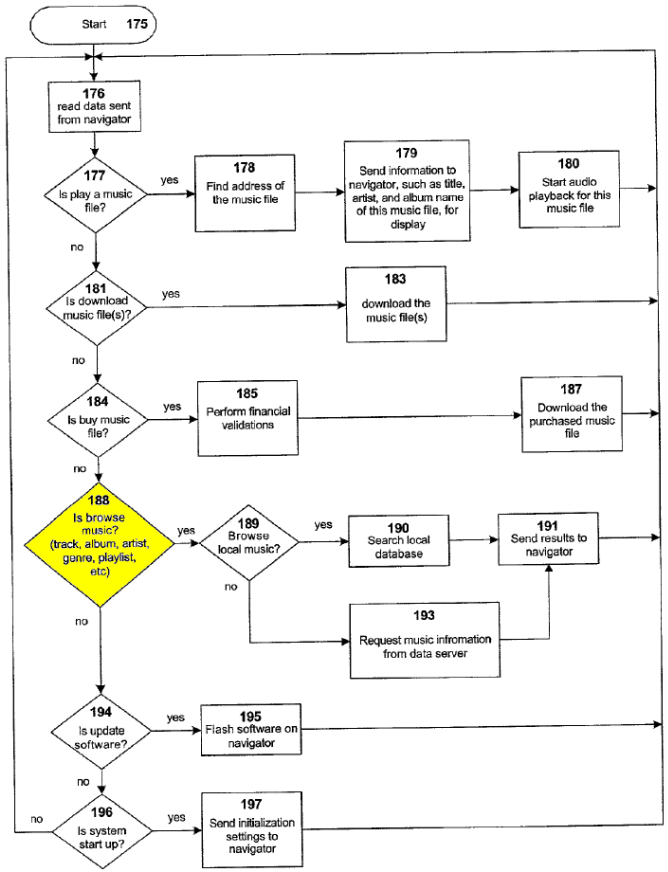


Figure 7

(Ex. 1008, Figure 7)

Navigator Control Manager

[0031] The navigator control manager **154**, which runs on the computing platform **100**, takes the user inputs **270**, such as button presses, from the navigator **260** and interprets and translates them into commands and actions for the audio or video player application **151**. The navigator control manager **154** then takes the results from the commands and actions of the audio or video player application **151** to provide user outputs **271** on the navigator **260**, such as updated graphics on an LCD **266** on the navigator **260**. **FIG. 7** provides the software flow of the navigator control manager **154**. In this example, the navigator control manager **154** is a continuously running process on the computing platform **100** and operates with an audio player application **151** and a navigator **260** with graphical output capabilities and operates as part of interactive remote control specifically for digital music playback and selection.

...

Typically, a browse of music is based on such criteria as music track, album, artist, music genre, and playlists.

(Ex. 1008, ¶¶ [0031]-[0032])

’099 Patent – Unpatentability Based on Berman

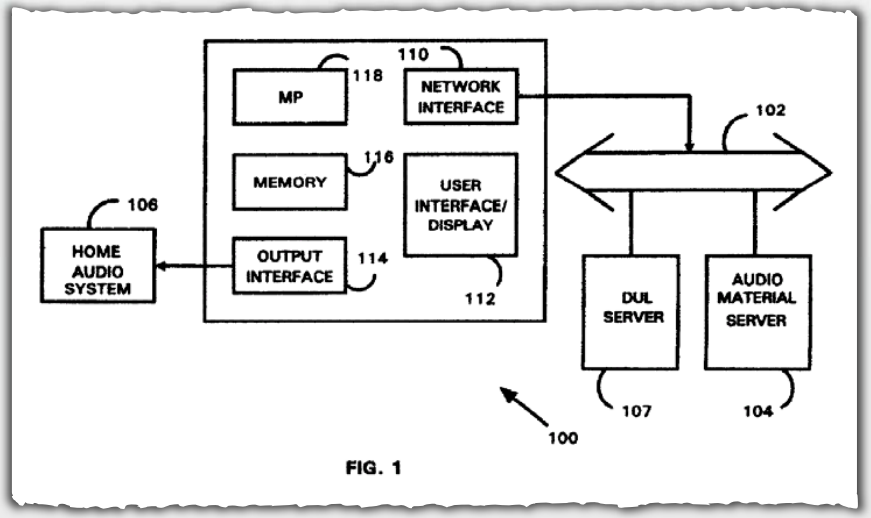


FIG. 1

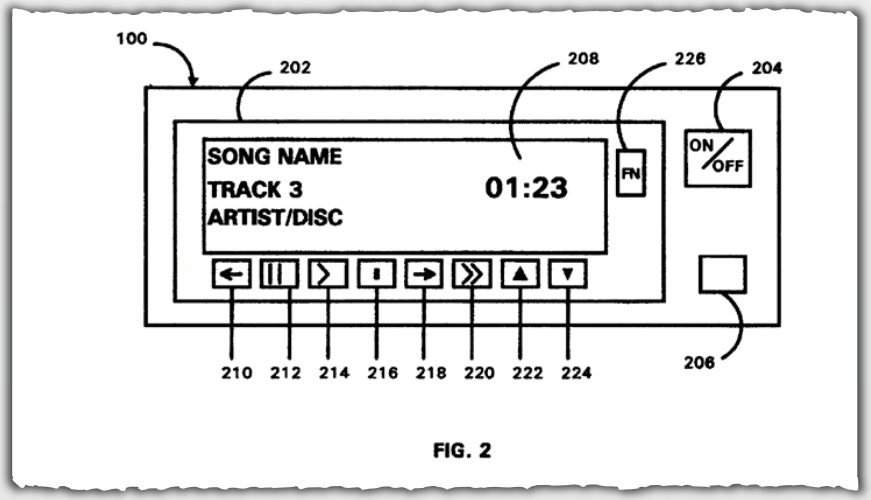


FIG. 2

As described above, searching of available audio material may be carried out by a user through the user display interface. The data flow from the user display interface to the playback unit is indicated by the FIG. **13** data flow arrow marked “6” and contains commands issued from the user display interface to the main unit. In the preferred embodiment, the most commonly used controls of the play-back unit closely resemble those of a conventional multiple-disc CD player, including disc select, play, fast forward, and the like. These controls, as well as the search functions, can be instantiations of objects that are part of the graphical user interface (GUI) of the user display. This GUI may be replicated on a remote control device, as indicated in FIG. **13**.

(IPR2013-00597, Ex. 1010, FIGs. 1 and 2)

(Ex. 1010, 13:51-64)

’873 Patent

(12) **United States Patent**
Weel

(10) **Patent No.: US 8,214,873 B2**
(45) **Date of Patent: *Jul. 3, 2012**

(54) **METHOD, SYSTEM, AND COMPUTER-READABLE MEDIUM FOR EMPLOYING A FIRST DEVICE TO DIRECT A NETWORKED AUDIO DEVICE TO RENDER A PLAYLIST**

(75) Inventor: **Martin Weel**, Modjeska, CA (US)

(73) Assignee: **Dryden Enterprises, LLC**, Wilmington, DE (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **13/207,113**

(22) Filed: **Aug. 10, 2011**

(65) **Prior Publication Data**

US 2012/0042007 A1 Feb. 16, 2012

Related U.S. Application Data

(63) Continuation of application No. 10/840,109, filed on May 5, 2004, now Pat. No. 8,028,323.

(51) **Int. Cl.**
H04N 7/173 (2011.01)

(52) **U.S. Cl.** **725/141**; 725/133; 725/118; 709/219

(58) **Field of Classification Search** 709/223, 709/203, 231, 206, 204, 219; 725/110, 88, 725/112, 86, 134, 141, 118, 133; 705/27; 348/734; 700/94

See application file for complete search history.

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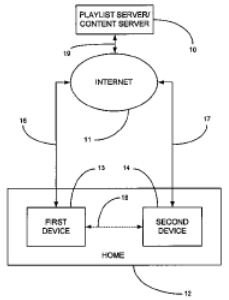
(Continued)

Primary Examiner — Le H Luu
(74) *Attorney, Agent, or Firm* — Withrow & Terranova, PLLC

(57) **ABSTRACT**

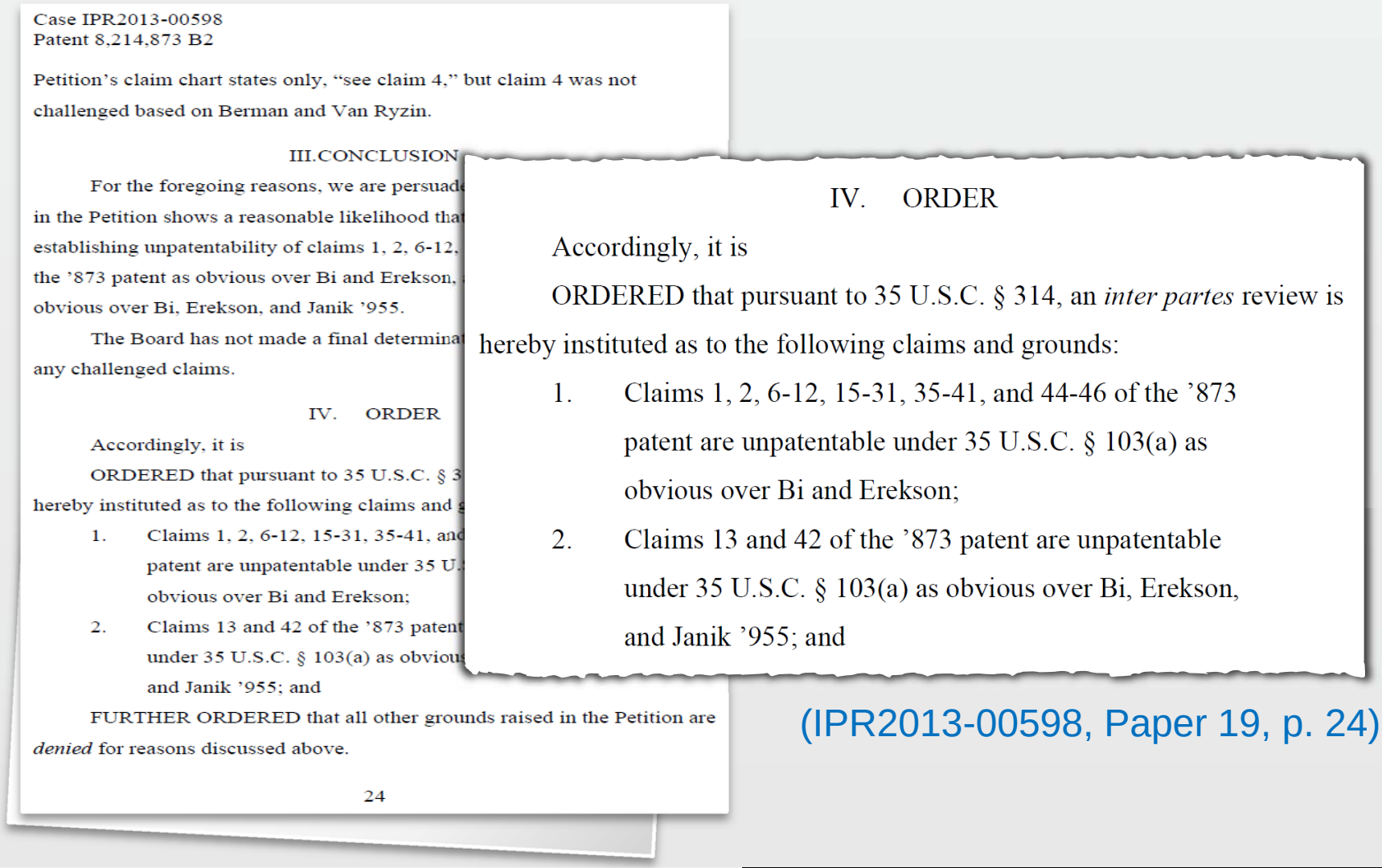
A method for playing music includes displaying a list of playlists names, selecting one of the displayed playlists names, sending at least one attribute of a playlist corresponding to the selected playlist name to a playlist server, receiving a playlist from the playlist server wherein the received playlist corresponds to the attribute(s), selecting at least one song from the received playlist, sending information representative of the selected song to a content server, receiving the selected song from the content server, and playing the selected song(s). Requesting a playlist on the first device based on attributes, sending the same attributes to a second device having the second device request the playlist and start playing.

46 Claims, 8 Drawing Sheets



Grounds of Institution – ’873 Patent

Institution Decision



Case IPR2013-00598
Patent 8,214,873 B2

Petition’s claim chart states only, “see claim 4,” but claim 4 was not challenged based on Berman and Van Ryzin.

III. CONCLUSION

For the foregoing reasons, we are persuade
in the Petition shows a reasonable likelihood that
establishing unpatentability of claims 1, 2, 6-12,
the ’873 patent as obvious over Bi and Erekson,
obvious over Bi, Erekson, and Janik ’955.

The Board has not made a final determinat
any challenged claims.

IV. ORDER

Accordingly, it is

ORDERED that pursuant to 35 U.S.C. § 3
hereby instituted as to the following claims and g

1. Claims 1, 2, 6-12, 15-31, 35-41, and
patent are unpatentable under 35 U.
obvious over Bi and Erekson;
2. Claims 13 and 42 of the ’873 patent
under 35 U.S.C. § 103(a) as obvious
and Janik ’955; and

FURTHER ORDERED that all other grounds raised in the Petition are *denied* for reasons discussed above.

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IV. ORDER

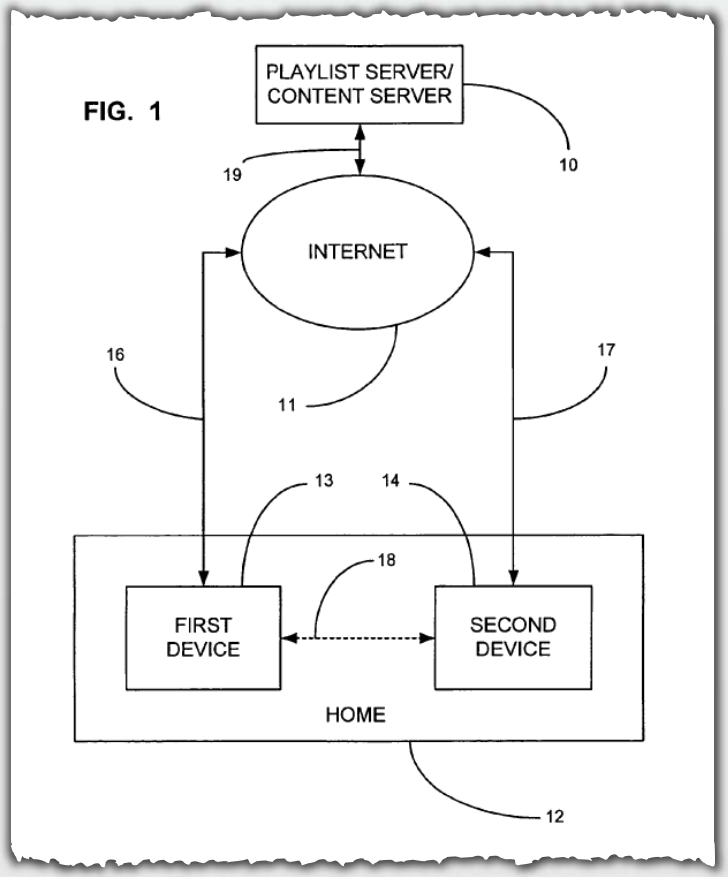
Accordingly, it is

ORDERED that pursuant to 35 U.S.C. § 314, an *inter partes* review is hereby instituted as to the following claims and grounds:

1. Claims 1, 2, 6-12, 15-31, 35-41, and 44-46 of the ’873 patent are unpatentable under 35 U.S.C. § 103(a) as obvious over Bi and Erekson;
2. Claims 13 and 42 of the ’873 patent are unpatentable under 35 U.S.C. § 103(a) as obvious over Bi, Erekson, and Janik ’955; and

(IPR2013-00598, Paper 19, p. 24)

’873 Patent



(’873 Patent, FIG. 1)

1. A method for facilitating the presentation of media, the method comprising:

displaying, on a first device, at least one device identifier identifying a second device;

receiving user first input selecting the at least one device identifier;

receiving, on the first device, a playlist, the received playlist comprising a plurality of media item identifiers;

receiving user second input selecting at least one media item identifier from the received playlist; and

directing, from the first device, the second device to receive a media item identified by the at least one media item identifier from a content server, without user input via the second device.

(’873 Patent, Claim 1)

’873 Patent Claim Construction – Playlist

1. A method for facilitating the presentation of media, the method comprising:

displaying, on a first device, at least one device identifier identifying a second device;

receiving user first input selecting the at least one device identifier;

receiving, on the first device, a playlist, the received playlist comprising a plurality of media item identifiers;

receiving user second input selecting at least one media item identifier from the received playlist; and

directing, from the first device, the second device to receive a media item identified by the at least one media item identifier from a content server, without user input via the second device.

(’873 Patent, Claim 1)

’873 Patent Claim Construction – Playlist

The present invention specifically addresses and alleviates the above mentioned deficiencies associated with the prior art. More particularly, according to one aspect the present invention comprises a method for playing music, wherein the method comprises displaying a list of playlists names, selecting one of the displayed playlist names, sending at least one attribute of a playlist corresponding to the selected playlist name to a playlist server, receiving a playlist from the playlist server wherein the received playlist corresponds to the attribute(s), selecting at least one song from the received playlist, sending information representative of the selected song(s) to a content server, receiving the selected song(s) from the content server and playing the selected song(s).

According to one method of operation, the playlist names are displayed on a first device, a playlist name is selected on the first device, the attribute(s) are sent from the first device, the playlist is received by the first device, a song is selected from the first device, and the song is played on the first device.

According to another method of operation, the playlist names are displayed on a first device, a playlist name is selected on the first device, the attribute(s) are sent from the first device, the playlist is received by the first device, a song is selected from the first device, and the song is played on a second device.

The method of the present invention optionally comprises selecting the second device. In this instance, the playlist names are displayed on a first device, the playlist name is selected on the first device, the attribute(s) are sent from the first device, the playlist is received by the first device, the song is selected from the first device, and the song is played on the selected second device. Preferably, the second device is selected from the first device.

(’873 Patent, 2:29-58)

’873 Patent Claim Construction – Playlist

Selecting at least one song from the playlist optionally comprises selecting a plurality of songs from the playlist and playing the selected song(s) then comprises playing the plurality of songs. The songs may be played in the order selected, in random order, or in any other desired order.

According to one aspect of the present invention, playlist recommendations based upon listening habits of a listener are automatically provided to the listener. Alternatively, the playlist recommendations may be based upon listening habits of another person. The playlist recommendations may comprise a list of currently popular songs within a single genre that is of interest to the listener.

Preferably, at least one parameter for a song that is being played on a second device can be adjusted from the first device. The parameters may include volume, tone, and/or balance.

According to one aspect, the present invention comprises a method for playing music, wherein the method comprises obtaining a playlist for a first device via the Internet, selecting a song from the playlist, and using the first device to cause a second device to play the selected song. The second device preferably obtains the song via the Internet.

According to one aspect, the present invention comprises a method for playing music, wherein the method comprises displaying a list of playlist names on a first device, selecting one of the displayed playlist names from the first device, sending at least one attribute of a playlist corresponding to the selected playlist name from the first device to a playlist server, receiving a playlist at the first device from the playlist server wherein the received playlist corresponds to the attribute(s), selecting at least one song from the playlist on the first device, sending information representative of the selected song from the first device to a content server, receiving the selected song at the first device from the content server, and playing the selected song(s) on the first device.

(’873 Patent, 3:20-53)

The listener selects at least one song from the received playlist, as shown in block **35**. Either a single song may be selected, or a plurality of songs may be selected. The song(s) may be selected by using a touchscreen display of the first device **13**, may be selected using the keypad, or may be selected by any other desired means.

Information representative of the selected song(s) is sent to a content server **10**. The information may comprise the name(s) of the songs, the number(s) of the songs, or any other unique identifier thereof.

The selected song(s) are communicated from the content server **10** to the first device **13** via the Internet **11** as shown in block **37**. The format of the selected songs may be MP3, WAV, or any other desired format.

The selected songs are played by the first device **13** as shown in block **38**. The selected songs may be played in the order selected, in random order, or in any other desired order. The order can preferably be changed at any time.

(’873 Patent, 11:27-44)

’873 Patent – Unpatentability Based on Bi and Erekson

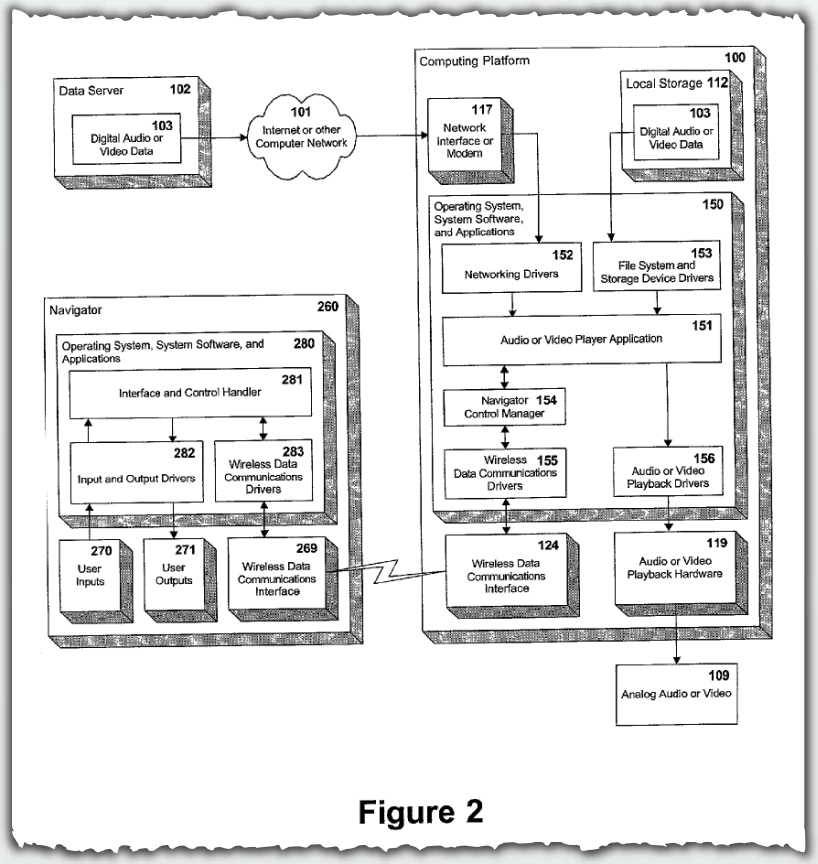


Figure 2

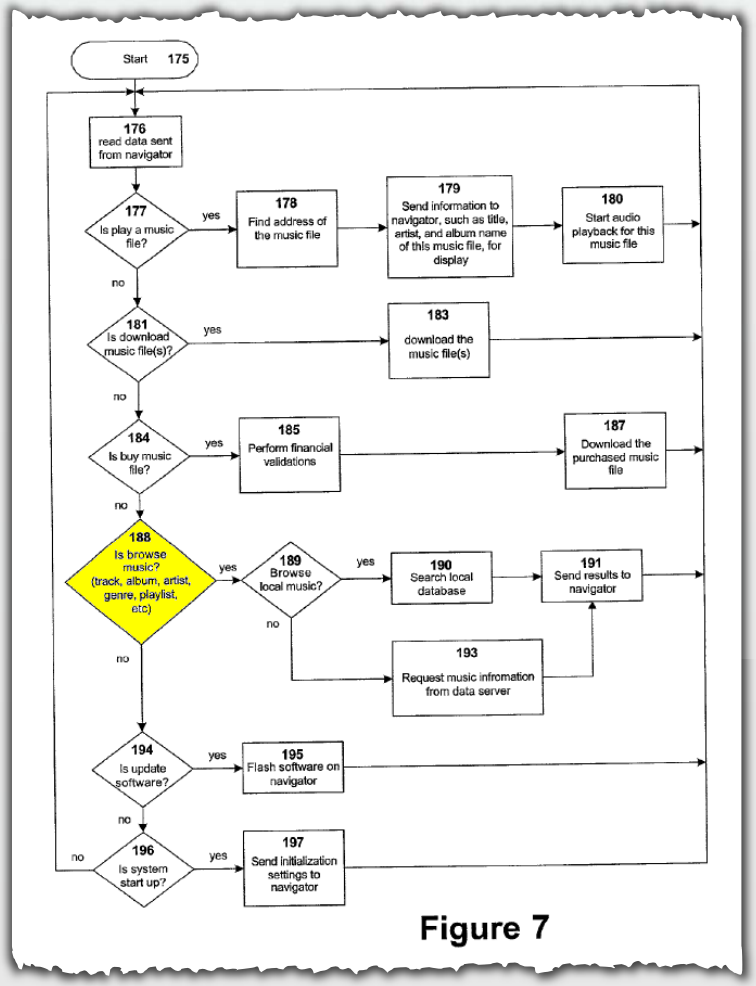


Figure 7

(IPR2013-00598, Ex. 1012, Bi, Figures 2 and 7)

’873 Patent – Unpatentability Based on Bi and Erekson

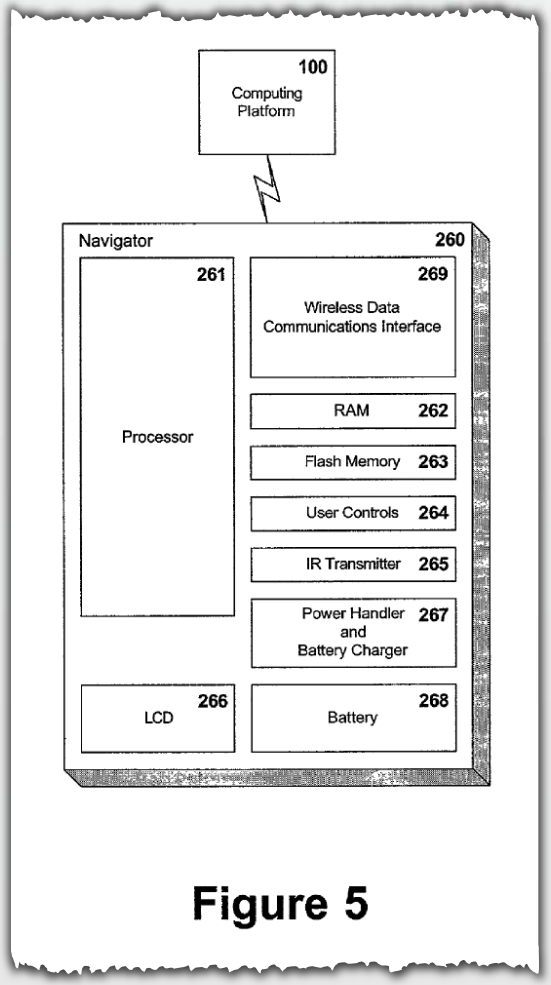


Figure 5

(Bi, Ex. 1012, Figure 5)

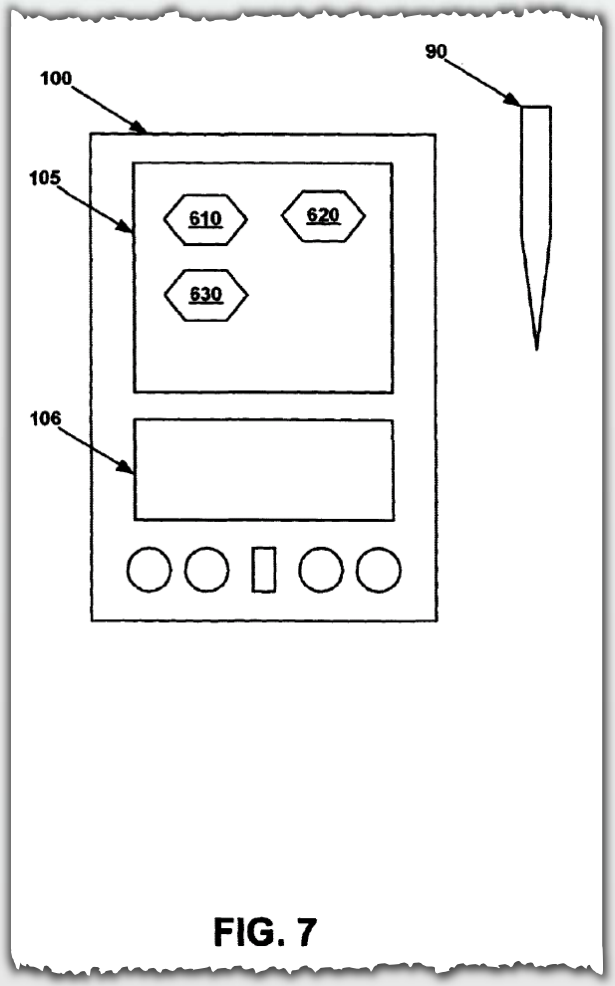


FIG. 7

(Erekson, Ex. 1013, FIG. 7)

’873 Patent – Unpatentability Based on Bi and Erekson

MOTOROLA
Semiconductor Application Note

Order by AN1767/D
(Motorola Order Number)
Rev. 0, 09/98

DragonBall™ Power Management

Motorola's DragonBall series of integrated processors have been widely adopted for hand-held PDA system designs. The power management of these processors is one of the key factors in the success of hand-held products. The MC68328 and MC68EZ328 are the currently available DragonBall processors, and both contain the same power control module. This application note describes the function of the power control unit in detail.

DragonBall Common Reference Platform

Figure 1 shows a common MC68EZ328-based PDA design. It includes a pen-input touch panel, an LCD panel, a communications port (RS232 or IrDA), memory, a speaker or buzzer, and a pager receiver.

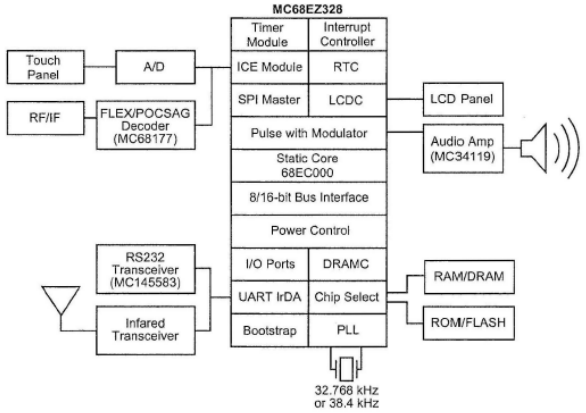


Figure 1. MC68EZ328-Based System Example

DragonBall™ Power Management

MOTOROLA

(IPR2013-00598, Motorola Data Sheet, Ex. 1022)

[0036] Control of the navigator **260** rests in the processor **261**, which is, for example, a Motorola MC68EZ328.

(Bi, Ex. 1012, ¶ [0036])

’873 Patent – Unpatentability Based on Bi and Erekson

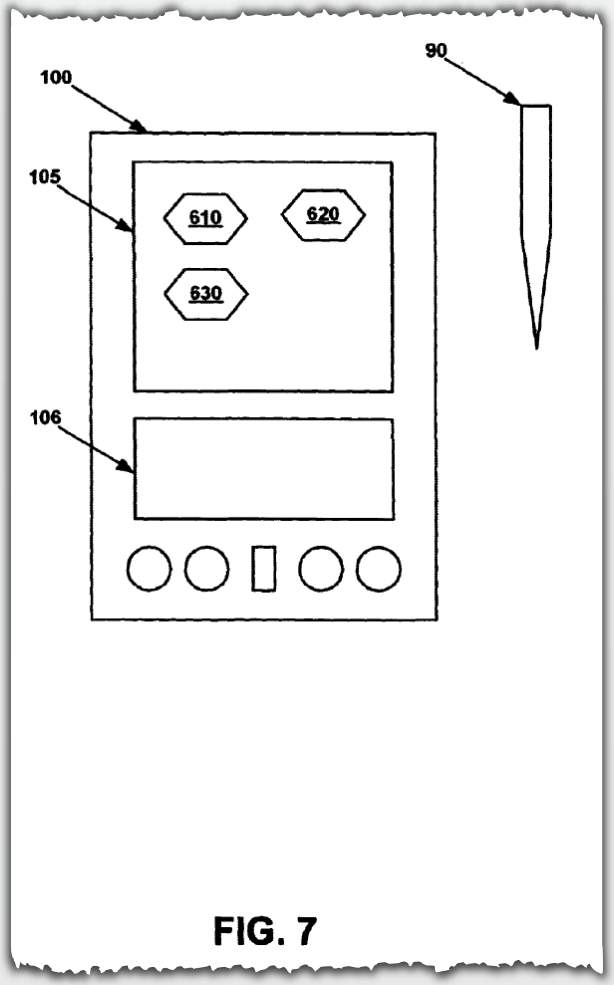


FIG. 7

(Ex. 1013, FIG. 7)

The processing power and intelligence of portable computer system **100** in combination with the processing power and intelligence of each transceiver **108** (in both portable computer system **100** and in the remote device; refer to FIGS. **4**A and **4**B) permit portable computer system **100** to be updated as needed, so that it can operate as a universal remote control device for a multiplicity of different devices, including new devices.

Thus, the present invention provides a system and method that can be used to remotely control a variety of different devices. In one embodiment, the present invention provides a system (e.g., a Bluetooth-enabled device, specifically a portable computer system) that can be used to remotely control compliant devices (e.g., other Bluetooth-enabled devices) over a wireless (radio) connection. With a radio connection, the system of the present invention is not limited to line-of-sight applications.

(Ex. 1013, 11:41-58)

’873 Patent – Unpatentability Based on Bi and Erekson

- It would have been obvious to one of ordinary skill in the art to combine Bi and Erekson
  - Simply applying a known technique to improve a known device by providing the ability to select and control multiple devices from a single remote

’873 Patent – Unpatentability Based on Bi and Erekson

- Patent Owner’s arguments are wrong
  - No requirement of Internet Connection to remote control
  - No inoperability
  - No incompatibility
  - No requirement of physical substitution