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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NETFLIX, INC.  
Petitioner

v.

OPENTV, INC.  
Patent Owner

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Case IPR2014-00252  
Patent 8,107,786

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**Patent Owner's Contingent Motion to Amend  
Under 37 C.F.R. § 42.121**

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**I. Statement of Relief Requested**

Under Rule 42.121, OpenTV moves to amend the '786 patent contingent on the outcome of the trial. If original claims 1, 4, and 7 are found unpatentable, the Board is requested to cancel claims 1-7, and replace them with proposed substitute claims 8-14. *See* 37 C.F.R. §42.22(a)(2); 35 U.S.C. § 316(d).

**II. Listing of Amendments**

One substitute claim is proposed for each canceled claim. 37 C.F.R. § 42.121(a)(3). The proposed substitute claims are not broader than the original claims; the amendments only add features to the claims and do not remove any limitations. 35 U.S.C. § 316(d)(3); 37 C.F.R. § 42.121(a)(2).

**A. Claim Listing Under Rule 42.121(b)**

Cancel claims 1-7, if found unpatentable.

8. (Substitute for original claim 1, if found unpatentable) A system including a request module to receive a request for primary content; and a communication module to

communicate primary content to a receiving device, the receiving device to render the primary content to an output device at a normal speed of the primary content,

associate the primary content to secondary information,

communicate the secondary information to the receiving device, the receiving device to utilize the secondary information to generate or access

secondary non-derivative content in order to render the secondary non-derivative content to the output device instead of the primary content, the secondary non-derivative content not being derived from the primary content, the receiving device to render the secondary non-derivative content responsive to receipt of a request to render the primary content at the receiving device at an accelerated speed of the primary content.

9. (Substitute for original claim 2, if found unpatentable) The system of claim [[1]] §, wherein the communication module communicates the primary content to the receiving device to store the primary content to a local storage device, the receiving device to retrieve the primary content from the local storage device before the receiving device is to render the primary content to the output device at the normal speed of the primary content.

10. (Substitute for original claim 3, if found unpatentable) The system of claim [[1]] §, wherein the communication module is to associate the primary content to a secondary application that is utilized by the communication module to generate the secondary content.

11. (Substitute for original claim 4, if found unpatentable) A method including receiving a request for primary content;  
communicating primary content to a receiving device, the receiving device to render the primary content to an output device at a normal speed of the primary

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