

Petitioner's Oral Arg Presentation

Inter Partes Review 2016-01238

U.S. Patent No. 8,122,141

September 25, 2017

U.S. Patent No. 8,122,

Instituted claims: 10-23

✓ Uncontested:

1. Invalidity of claims 19-23 - waived
2. Carmel's disclosure of all but two claim elements

✓ Contested:

1. Claim 10: Carmel's disclosure of "send media data to a client system responsive to said requests, at a rate matching a rate at which said streaming media is played back by a client system"
2. Claim 15: Carmel's disclosure of "said server device stores said media into a buffer established within said server, for a predetermined period of time"

U.S. Patent No. 8,122,141:

10. A server for distributing streaming media via a data communications medium such as the Internet to at least one user system of at least one user, the streaming media comprising a plurality of sequential media data elements for a digitally encoded audio or video program, said user system

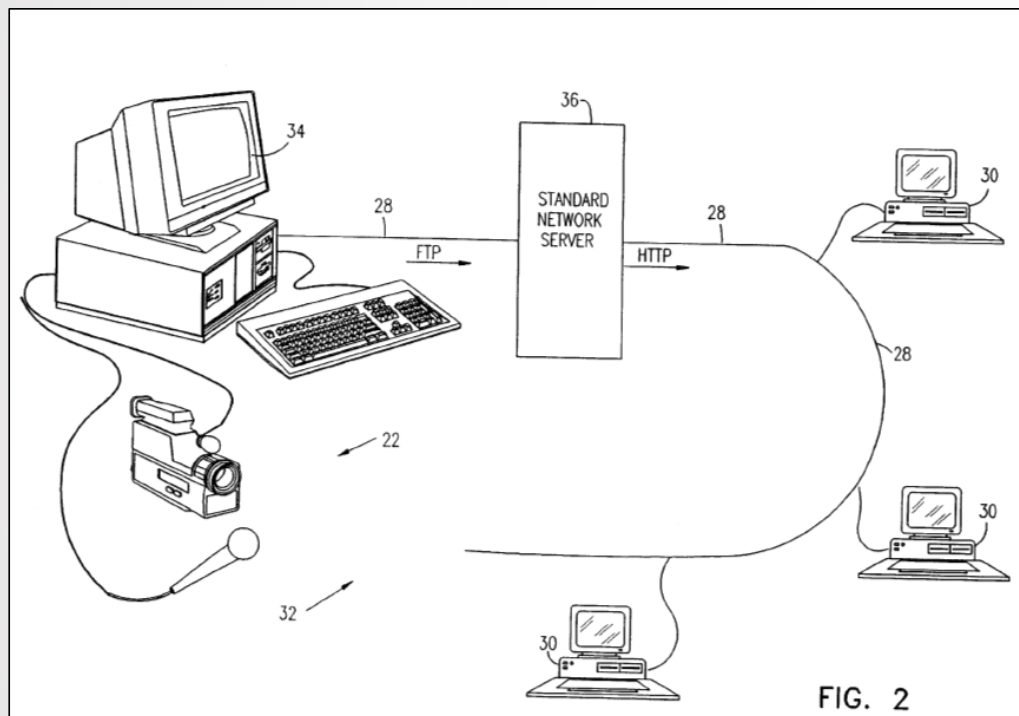
being assumed to have a media player for receiving and playing the streaming media on said user system, which is operable to obtain media data elements from said server by transmitting requests to said server to send one or more specified media data elements, said server comprising

at least one data storage device, memory for storing machine-readable executable routines and for providing a working memory area for routines executing on the server, a central processing unit for executing the machine-readable executable routines, an operating system, at least one connection to the communications medium, and a communications system providing a set of communications protocols for communicating through said at least one connection;

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Carmel (U.S. Patent No. 6,)



Exh. 1003 at FIG. 2
(Petition at 52)

Claim 10: “send media data elements to the user in response to said requests, at a rate more rapid than the rate at which the media is played back by a user.”

Carmel’s general statement about rate for multimedia data:

In some preferred embodiments of the present invention, the transmitting computer and the client device determine the rate of uploading and downloading of data to and from the client device, respectively, in order to determine the amount of data required to convey each slice and to verify that the data is conveyed at a sufficient rate. When the data slice comprises multimedia data, the data rate should be equal to or faster than the rate at which the data is transmitted at the transmitting computer.

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