

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent of: James M. Barton, et al.  
U.S. Patent No.: 6,233,389 Attorney Docket No.: 39843-0037IP1  
Issue Date: May 15, 2001  
Appl. Serial No.: 09/126,071  
Filing Date: July 30, 1998  
Title: Multimedia Time Warping System

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**PETITION FOR *INTER PARTES* REVIEW OF UNITED STATES PATENT  
NO. 6,233,389 PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42**

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## EXHIBITS

- SE1001 U.S. Pat. No. 6,233,389 to Barton et al. (“the ’389 patent”)
- SE1002 Prosecution History of the ’389 patent (Serial No. 09/126,071)
- SE1003 Declaration of Declaration of John M. Strawn, Ph.D.
- SE1004 U.S. Patent No. 5,557,724 to Sampat et al. (“Sampat”)
- SE1005 U.S. Patent No. 5,710,895 to Gerber et al. (“Gerber”)
- SE1006 Sound Blaster Pro User Reference Manual (1991)  
 (“SoundBlaster”)
- SE1007 Programmer’s Guide, Microsoft Video for Windows  
 Development Kit (February 1993) (“VfW”)
- SE1008 U.S. Patent No. 5,546,103 to Rhodes et al. (“Rhodes”)
- SE1009 Definition of “Capture”, Concise Oxford Dictionary of Current  
 English (1990)
- SE1010 Definition of “Capture (of data)”, Webster's New World  
 Dictionary of Computer Terms (1988)
- SE1011 Claim Construction Order, *TiVo Inc. v. Echostar  
 Communications Corp., et al.*, 2:04-cv-00001 (8/18/2005)
- SE1012 Claim Construction Order, *TiVo, Inc. v. AT&T Inc., et al.*, 2:09-  
 cv-00259 (10/13/2011)

- SE1013 Claim Construction Order, *TiVo, Inc. v. Verizon Comm'n, Inc. et al.*, 2:09-cv-00257 (3/12/2012)
- SE1014 Memorandum Opinion and Order, *Motorola Mobility, Inc. et al. v. TiVo, Inc.*, 5:11-cv-00053 (12/06/2012)
- SE1015 Exhibit A, Preliminary Infringement Claim Chart for U.S. Pat. No. 6,233,389, Samsung Mobile Devices (“Infringement Contentions”)
- SE1016 Prosecution History of *Ex Parte* Reexamination of claims 1, 3-5, 15-18, 20-25, 32, 34-36, 46-49, and 51-55 of the '389 patent (Serial No. 90/007750) (“First Reexam”)
- SE1017 Prosecution History of *Ex Parte* Reexamination of claims 31 and 61 of the '389 patent (Serial No. 90/009329) (“Second Reexam”)
- SE1018 Bescos, Jesus et al., *From Multimedia Stream Models to GUI Generation* (1997) (“Bescos”)
- SE1019 Screen capture of Amazon.com listing for Sound Blaster Pro User Reference Manual (accessed July 8, 2016)
- SE1020 Musser, John, *A Multimedia Class Library for Windows*, Dr. Dobb's Journal (July 1993) (“Musser”)
- SE1021 Adams, Eric J., *High Noon: Big Players Ready for Video Showdown*, MacWEEK (Dec. 14, 1992 ) (“Adams”)

## I. INTRODUCTION

Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively “Petitioner”) petition for *Inter Partes Review* (“IPR”) of claims 31 and 61 (“the Challenged Claims”) of U.S. Patent No. 6,233,389 (“the ’389 patent”). The ’389 patent is titled “Multimedia Time Warping System” and “relates to the real time capture, storage, and display of television broadcast signals.” SE1001, 1:6-9. The ’389 patent includes 61 claims. Most of those claims are directed to “television (TV) broadcast signals” and specific features related thereto (*see* SE1001, cl. 1-30, 32-60) and are not subject to this IPR petition.

This petition relates only to claims 31 and 61 of the ’389 patent. During prosecution of the application that resulted in the ’389 patent, claims 31 and 61 received a first action allowance. SE1002, 1007, 111. The stated reason for allowance merely recited all claim elements. SE1002, 111.

The ’389 patent also was reexamined twice. *See* SE1016; SE1017. The first reexamination challenged unrelated claims—not claims 31 and 61. SE1016, 1. In the second reexamination, claims 31 and 61 were challenged and ultimately confirmed patentable over the art cited in the reexamination request. SE1017, 1, 1336. The stated reason for allowance was that the cited references “do not teach or render obvious a transform object that automatically flow controls source and

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