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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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DISH NETWORK L.L.C., AT&T SERVICES, INC.,  
And DIRECTV, LLC,<sup>1</sup>  
Petitioner

v.

BROADBAND ITV, INC.,  
Patent Owner

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Case IPR2020-01267  
U.S. Patent No. 10,028,026

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**PATENT OWNER'S SUR-REPLY  
TO PETITIONER'S REPLY**

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<sup>1</sup> AT&T Services, Inc. and DIRECTV, LLC filed a motion for joinder and a petition in Case IPR2021-00556, which were granted, and, therefore, have been joined as petitioners in this proceeding.

**TABLE OF CONTENTS**

I. INTRODUCTION.....1

II. GONDER IS NOT PRIOR ART TO THE '026 PATENT .....1

    A. The '192 Application Constructively Reduces an Internet-Connected Digital Device to Practice.....1

    B. BBiTV Has Shown an Earlier Conception of an ICDD.....10

    C. BBiTV Has Shown Conception of Reserved Area Content Generated Using Received Video Content.....14

III. GONDER DOES NOT PROPERLY INCORPORATE BY REFERENCE THE CABLELABS STANDARD, AND THE CABLELABS STANDARD DOES NOT CORRECT ANY DEFICIENCIES IN GONDER .....16

IV. GONDER FAILS TO TEACH THE THIRD LAYER, AS RECITED IN CLAIM 1 .....17

    A. Petitioner Should Not Be Permitted to Introduce a New Claim Construction Position in its Reply.....17

    B. Gonder Does Not Disclose Displaying a Background and Reserved Area Content Generated Using a Plurality of Images.....18

V. A POSITA WOULD NOT COMBINE GONDER AND SON IN A MANNER THAT WOULD RESULT IN THE CLAIMED WEB-BASED CONTENT MANAGEMENT SYSTEM.....26

VI. GONDER FAILS TO DISCLOSE OR RENDER OBVIOUS THE DEPENDENT CLAIMS .....27

    A. Claim 6.....27

    B. Claims 11 and 12 .....28

    C. Claim 15.....29

VII. SECONDARY CONSIDERATIONS .....29

**UPDATED EXHIBIT LIST**

<b>Exhibit No.</b>	<b>Description</b>
<b>2001</b>	Complaint for Patent Infringement, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-00716-ADA (W.D. Tex.), December 19, 2019.
<b>2002</b>	Transcript of Telephonic Discovery Hearing Before the Honorable Alan D. Albright, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-00716-ADA (W.D. Tex.), August 31, 2020.
<b>2003</b>	“The last thing anyone should think about WDTX is that it is patent plaintiff friendly, says Albright,” (IAM, Apr. 7, 2020), <a href="https://www.iam-media.com/law-policy/albright-the-last-thing-anyone-should-think-about-venue-it-plaintiff-friendly">https://www.iam-media.com/law-policy/albright-the-last-thing-anyone-should-think-about-venue-it-plaintiff-friendly</a> (accessed Sept. 14, 2020).
<b>2004</b>	Order Denying Motion to Stay Case, <i>Continental Intermodal Group-Trucking, LLC v. Sand Revolution, LLC</i> , Case No. 7:18-cv-00147 (W.D. Tex.), July 22, 2020.
<b>2005</b>	Order Denying Motion to Stay Case, <i>Kerr Machine Co. v. Vulcan Indus. Holdings, LLC.</i> , Case No. 6:20-cv-00200 (W.D. Tex.), August 18, 2020.
<b>2006</b>	Divisional Standing Order Regarding Trials in Waco, U.S. District Court for the Western District of Texas, August 18, 2020.
<b>2007</b>	Divisional Standing Order Regarding Trials in Waco, U.S. District Court for the Western District of Texas, September 23, 2020.
<b>2008</b>	Divisional Standing Order Regarding Trials in Waco, U.S. District Court for the Western District of Texas, March 24, 2020.
<b>2009</b>	Order Granting Motion to Consolidate Cases, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-00712 (W.D. Tex.), April 15, 2020.
<b>2010</b>	Minute Entry for Proceedings held before Judge Alan D. Albright, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-00716 (W.D. Tex.), August 31, 2020.
<b>2011</b>	“Roku Tells WDTX Patent Jury Its Tech's Web Access Is Key” <i>Law360</i> , October 5, 2020, <a href="https://www.law360.com/articles/1302893/print?section=ip">https://www.law360.com/articles/1302893/print?section=ip</a> (accessed October 20, 2020).



Exhibit No.	Description
2012	Order Denying Motion to Dismiss, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-00716-ADA (W.D. Tex.), July 25, 2020.
2013	Dish Network LLC's Preliminary Invalidity Contentions, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-00716-ADA (W.D. Tex.), June 25, 2020.
2014	<i>Intentionally Left Blank</i>
2015	Defendants' Opening Claim Construction Brief, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-716, U.S. District Court for the Western District of Texas, dated September 10, 2020.
2016	<i>Intentionally Left Blank</i>
2017	U.S. Patent Appl. Publ. No. 2002/00104099 to Novak ("Novak")
2018	"Roku Beats \$41M Infringement Claim In Texas Trial" <i>Law360</i> , October 14, 2020, <a href="https://www.law360.com/articles/1319005/print?section=ip">https://www.law360.com/articles/1319005/print?section=ip</a> (accessed October 21, 2020).
2019	"3 Things To Know After Busy WDTX Patent Judge's 1st Trial" <i>Law360</i> , October 16, 2020, <a href="https://www.law360.com/articles/1320360/print?section=ip">https://www.law360.com/articles/1320360/print?section=ip</a> (accessed October 21, 2020).
2020	Transcript of Telephonic Discovery Hearing Before the Honorable Alan D. Albright, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-00716-ADA (W.D. Tex.), March 26, 2020.
2021-2025	<i>Intentionally Left Blank</i>
2026	BBiTV Court's Claim Constructions Final At Hearing 11/13/20, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-716, U.S. District Court for the Western District of Texas, dated November 13, 2020.
2027-2029	<i>Intentionally Left Blank</i>
2030	Teleconference Transcript, November 25, 2020.
2031	DISH Final Invalidity Contentions and Example Claim Charts
2032	AT&T Final Invalidity Contentions and Example Claim Charts
2033	Civil Docket for <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:16-cv-00716-ADA (W.D. Tex.), February 2, 2021.
2034	Teleconference Transcript, February 2, 2021.

<b>Exhibit No.</b>	<b>Description</b>
<b>2035</b>	Michael Shamos Declaration (PARTIALLY CONFIDENTIAL)
<b>2036</b>	Milton Diaz Perez Declaration (PARTIALLY CONFIDENTIAL)
<b>2037</b>	Leighton Chong Declaration (PARTIALLY CONFIDENTIAL)
<b>2038</b>	Clif Kagawa Declaration (PARTIALLY CONFIDENTIAL)
<b>2039</b>	Deposition Transcript of Dr. Samuel Russ, April 30, 2021
<b>2040</b>	"Why Comcast Leads the Pack," Bloomberg, May 31, 2001
<b>2041</b>	Comcast Fact Sheet
<b>2042</b>	"HOW IT WORKS: Video on Demand Is Ready, but the Market Is Not," New York Times, Oct. 10, 2002
<b>2043</b>	"Behind Comcast's video-on-demand growth" dated Oct. 4, 2004, available at <a href="https://money.cnn.com/2004/10/04/technology/techinvestor/hellweg/index.htm">https://money.cnn.com/2004/10/04/technology/techinvestor/hellweg/index.htm</a>
<b>2044</b>	Comcast press release dated Jan. 8, 2008, available at <a href="https://corporate.comcast.com/news-information/news-feed/comcast-ceo-brian-l-roberts-announces-project-infinity-strategy-to-deliver-exponentially-more-content-choice-on-tv">https://corporate.comcast.com/news-information/news-feed/comcast-ceo-brian-l-roberts-announces-project-infinity-strategy-to-deliver-exponentially-more-content-choice-on-tv</a>
<b>2045</b>	"Comcast's Road to 20 Billion VOD Views" dated Aug. 10, 2011, available at <a href="https://www.multichannel.com/news/comcast-s-road-20-billion-vod-views-327466">https://www.multichannel.com/news/comcast-s-road-20-billion-vod-views-327466</a>
<b>2046</b>	Comcast press release dated Mar. 31, 2009, available at <a href="https://www.prlog.org/10880181-comcast-media-center-to-introduce-express-lane-service-for-video-on-demand-content-providers-at.html">https://www.prlog.org/10880181-comcast-media-center-to-introduce-express-lane-service-for-video-on-demand-content-providers-at.html</a>
<b>2047</b>	Navic meeting 07/03 (CONFIDENTIAL)
<b>2048</b>	<i>Intentionally Left Blank</i>
<b>2049</b>	<i>Intentionally Left Blank</i>
<b>2050</b>	Specs / Flowcharts late 2003-early 2004 (CONFIDENTIAL)
<b>2051</b>	Specs / Flowcharts late 2003-early 2004 (CONFIDENTIAL)
<b>2052</b>	Specs / Flowcharts late 2003-early 2004 (CONFIDENTIAL)
<b>2053</b>	Specs / Flowcharts late 2003-early 2004 (CONFIDENTIAL)
<b>2054</b>	Specs / Flowcharts late 2003-early 2004 (CONFIDENTIAL)



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